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ACTS  
OF THE  
PARLIAMENT  
OF THE  
DOMINION OF CANADA  
PASSED IN THE SESSION HELD IN THE  
SECOND YEAR OF THE REIGN OF HIS MAJESTY  
KING EDWARD VII.  
BEING THE

SECOND SESSION OF THE NINTH PARLIAMENT

*Begun and holden at Ottawa, on the Thirteenth day of February, and  
closed by Prorogation on the Fifteenth day of May, 1902*



HIS EXCELLENCY THE  
RIGHT HONOURABLE SIR GILBERT JOHN ELLIOT, EARL OF MINTO  
GOVERNOR GENERAL

VOL II.  
LOCAL AND PRIVATE ACTS

OTTAWA  
PRINTED BY SAMUEL EDWARD DAWSON  
LAW PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
ANNO DOMINI 1902

YOUNG STUDENT LEADERSHIP CONFERENCE  
YOUNG STUDENT LEADERSHIP CONFERENCE  
ON LEADERSHIP



## 2 EDWARD VII.

### CHAP. 38.

#### An Act respecting the Algoma Central and Hudson Bay Railway Company.

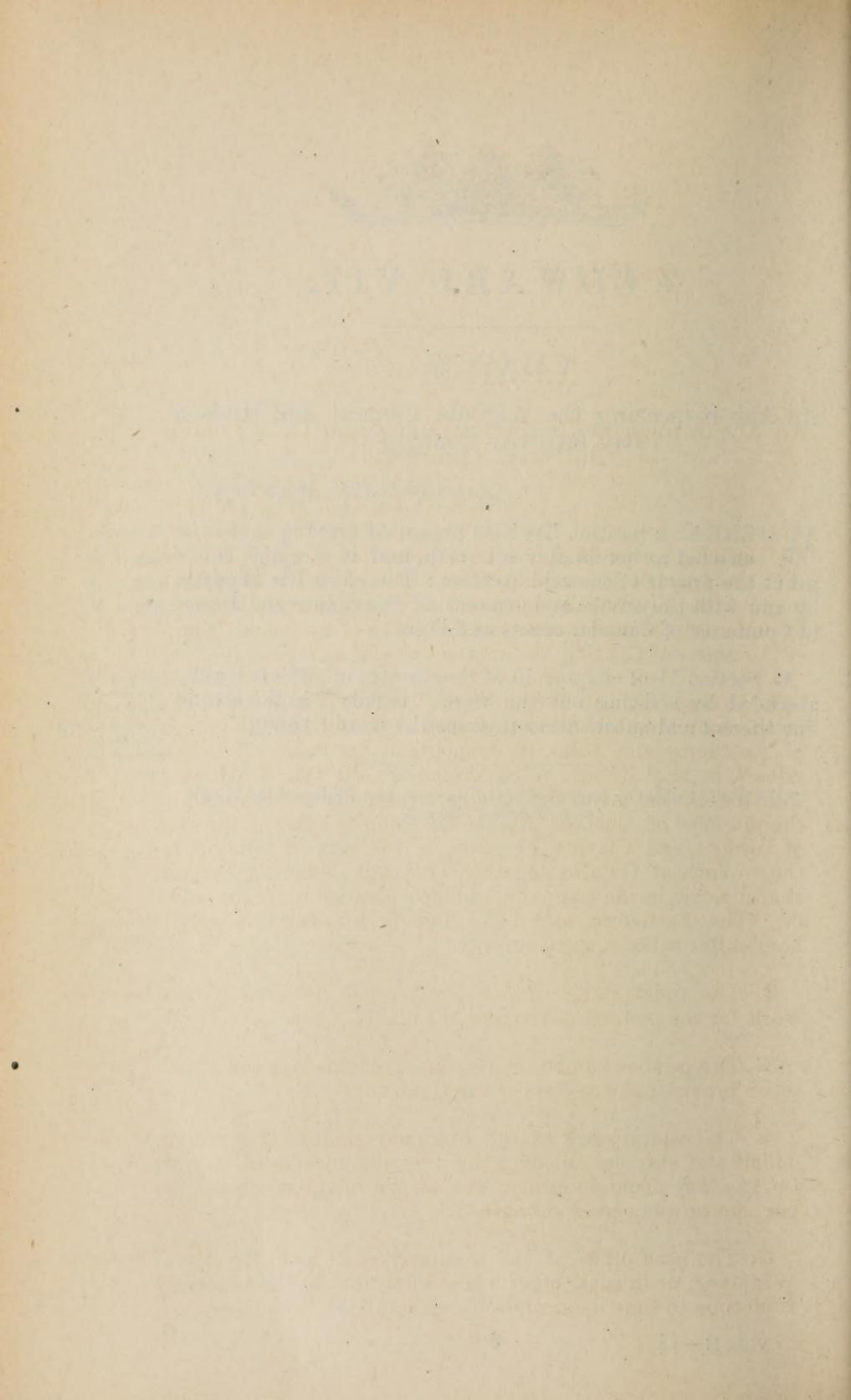
[Assented to 15th May, 1902.]

WHEREAS a petition has been presented praying that it be Preamble. enacted as hereinafter set forth, and it is expedient to 1899, c. 50. grant the prayer of the said petition: Therefore His Majesty, 1900, c. 49. by and with the advice and consent of the Senate and House 1901, c. 46. of Commons of Canada, enacts as follows:—

**1.** Section 11 of chapter 50 of the statutes of 1899 is hereby amended by striking out the word "twenty" in the second line thereof and substituting therefor the word "thirty."

1899, c. 50,  
11 amended.  
Bond issue  
increased from  
\$20,000 to  
\$30,000 per  
mile.

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most Excellent Majesty.





## 2 EDWARD VII.

### CHAP. 39.

#### An Act to incorporate the Battleford and Lake Lenore Railway Company.

*[Assented to 15th May, 1902.]*

WHEREAS a petition has been presented praying that it Preamble. be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. George Duncan Wood, of the city of Winnipeg, in the province of Manitoba; Alan Joseph Adamson, of the village of Rosthern, and John H. Lamont, of the town of Prince Albert, in the district of Saskatchewan, in the North-west Territories; Raymond Préfontaine, of the city of Montreal, in the province of Quebec; Alexander Rennie Auld, of the city of Toronto, and Clayton Peterson, of the city of Guelph, in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "The Battleford and Lake Lenore Railway Company," Corporation name. hereinafter called "the Company."
2. The undertaking of the Company is declared to be a Declaratory. work for the general advantage of Canada.
3. The persons named in section 1 of this Act are constituted Provisional directors. provisional directors of the Company.
4. The capital stock of the Company shall be one million Capital stock. dollars and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed.
5. The head office of the Company shall be in the city of Head office. Winnipeg, or in such other place in Canada as the Company from time to time determines by by-law.

Annual meeting.

**6.** The annual meeting of the shareholders shall be held on the first Tuesday in September in each year.

Election of directors.

**7.** At such meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose five persons to be directors of the Company, one or more of whom may be paid directors.

Line of railway described.

**8.** The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches, from a point at or near Hobbema station on the line of the Calgary and Edmonton Railway Company in the district of Alberta, thence in a generally easterly direction crossing the line of the Qu'Appelle, Long Lake and Saskatchewan Railroad and Steam-boat Company at or near Osler station, to a point on the south Saskatchewan river in township thirty-nine or forty in the district of Saskatchewan; thence in a generally easterly direction to Lake Lenore, thence in a north-easterly direction to a point on the Canadian Northern Railway Company's line at or near Crooked River, in the district of Saskatchewan; and also a branch line from a point on the Company's said line of railway in township forty or forty-one in range twenty-four west of the second meridian in the district of Saskatchewan to a point at or near Yorkton, in the district of Assinibbia.

Branch line.

Bond issue limited.

**9.** The Company may issue bonds, debentures or other securities to the extent of fifteen thousand dollars per mile of the railway and branches, and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Agreement with another company.

**10.** The Company may enter into an agreement with the Canadian Northern Railway Company or the Canadian Pacific Railway Company for conveying or leasing to such company the railway of the Company in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery, and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Approval of shareholders and Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Rail-*

*way Act*, and also for a like period in one newspaper in each of the electoral districts through which the railway of the Company runs and in which a newspaper is published.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be *prima facie* evidence of the requirements of this Act having been complied with.

**11.** The Company may construct and maintain a telegraph line and telephone lines along the whole line of its railway and branches, and may establish offices for the transmission of messages for the public; and for the purpose of erecting and working such telegraph and telephone lines the Company may enter into a contract with any other company.

2. The Company may enter into arrangements with any telegraph or telephone company for the exchange and transmission of messages, or for the working in whole or in part of the lines of the Company.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for leasing or using the telegraph or telephones of the Company until such rates or charges have been approved of by the Governor in Council, and such rates and charges shall be subject to revision from time to time by the Governor in Council.

4. *The Electric Telegraph Companies Act* shall apply to the R.S.C., c. 132. telegraphic business of the Company.

**12.** If the construction of the railway is not commenced and fifteen per cent of the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not finished and put in operation within five years after the passing of this Act, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

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Agreement to be filed with Secretary of State.

Telegraph and telephone lines.

Arrangements with telegraph and telephone companies.

Rates to be approved.

Time for construction limited.





## 2 EDWARD VII.

### CHAP. 40.

#### An Act respecting the Bay of Quinté Railway Company.

[Assented to 15th May, 1902.]

WHEREAS the Bay of Quinté Railway Company has, by Preamble to its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The agreement dated the eleventh day of February, one thousand nine hundred and two, made between the Rathbun Company of the first part and the Bay of Quinté Railway Company, hereafter called "the Company," of the second part, a copy of which agreement is set out in the schedule to this Act, is confirmed, and the parties thereto are hereby authorized to carry out the said agreement. Agreement in schedule confirmed.
2. The Company may increase its capital stock and divide it into preferred and common stock as provided for in the said agreement; provided that the total capital stock of the Company shall not be increased under the provisions of this Act to a greater amount than one million five hundred thousand dollars. Increase of capital.
3. The Company may construct and operate a line of railway from a point on its line in or near Deseronto to any point on the northerly or westerly shore of the Bay of Quinté, within the townships of Tyendinaga or Thurlow, thence from a point on such line, across the Bay of Quinté and through Prince Edward County, to the town of Picton, and thence to the Sand Banks on Lake Ontario. Extensions of railway.
4. The Act respecting certain works constructed in or over R.S.C., c. 92. navigable waters, chapter 92 of the Revised Statutes, and the amendments thereof, shall apply to the works and bridge carrying the said line across the Bay of Quinté.

Time for  
construction  
limited.

**5.** The Company's lines of railway, branches and extensions heretofore authorized and not constructed, and those hereby authorized shall be commenced within two years and completed within five years from the passing of this Act, otherwise the powers granted for the construction thereof shall cease and be null and void with respect to so much of the said lines as then remains uncompleted.

## SCHEDULE.

This agreement made the eleventh day of February, A.D. 1902, between the Rathbun Company, of the first part, and the Bay of Quinté Railway Company (hereinafter called the "Railway Company") of the second part.

Whereas the Rathbun Company are the holders of second mortgage bonds made by the Railway Company to the amount of \$830,500.00;

And whereas the authorized capital stock of the Railway Company is now the sum of \$1,250,000 of which the sum of \$144,500 has been issued and fully paid;

And whereas the Railway Company has requested the Rathbun Company to exchange its said second mortgage bonds for preference and common stock in the capital of the Company to be created and issued as hereinafter mentioned, and the Rathbun Company is willing to comply with such request upon the terms hereof:

Now this agreement witnesseth:—

1. The parties hereto will join in applying to the Parliament of Canada at its next session for an Act confirming this agreement and authorizing the parties to carry out the same:

2. The Railway Company will increase its capital stock to such sum as may be determined upon and authorized by the said Act, not less than \$1,500,000 and will divide the same into preferred and common stock in the proportions of one-third of preferred stock and two-thirds of common stock. The preferred stock to be preferred both as to capital and dividends and to bear non-cumulative dividends at the rate of six per cent per annum. The \$144,500 of stock now outstanding to form part of the common stock:

3. In exchange for the said second mortgage bonds to the said amount of \$830,500.00, the Railway Company will so soon as the said Act has been passed issue and deliver to the Rathbun Company \$325,000.00 par value of preferred stock, fully paid, and free from calls or other liability thereon, and \$505-500.00 par value of common stock, fully paid, and free from calls or other liability thereon, and the Rathbun Company will accept such stock in exchange for said bonds and will deliver to the Railway Company the said bonds which shall then be cancelled and the mortgage securing them shall be discharged.

In witness whereof the parties hereto have hereunto affixed their signatures and corporate seals.

## THE RATHBUN COMPANY.

Witness

C. F. BRISTOL.

[SEAL]

Per E. W. RATHBUN,  
President & Gen'l Mgr.  
C. A. MILLENER,  
Secretary.

## THE BAY OF QUINTÉ RAILWAY COMPANY.

Witness

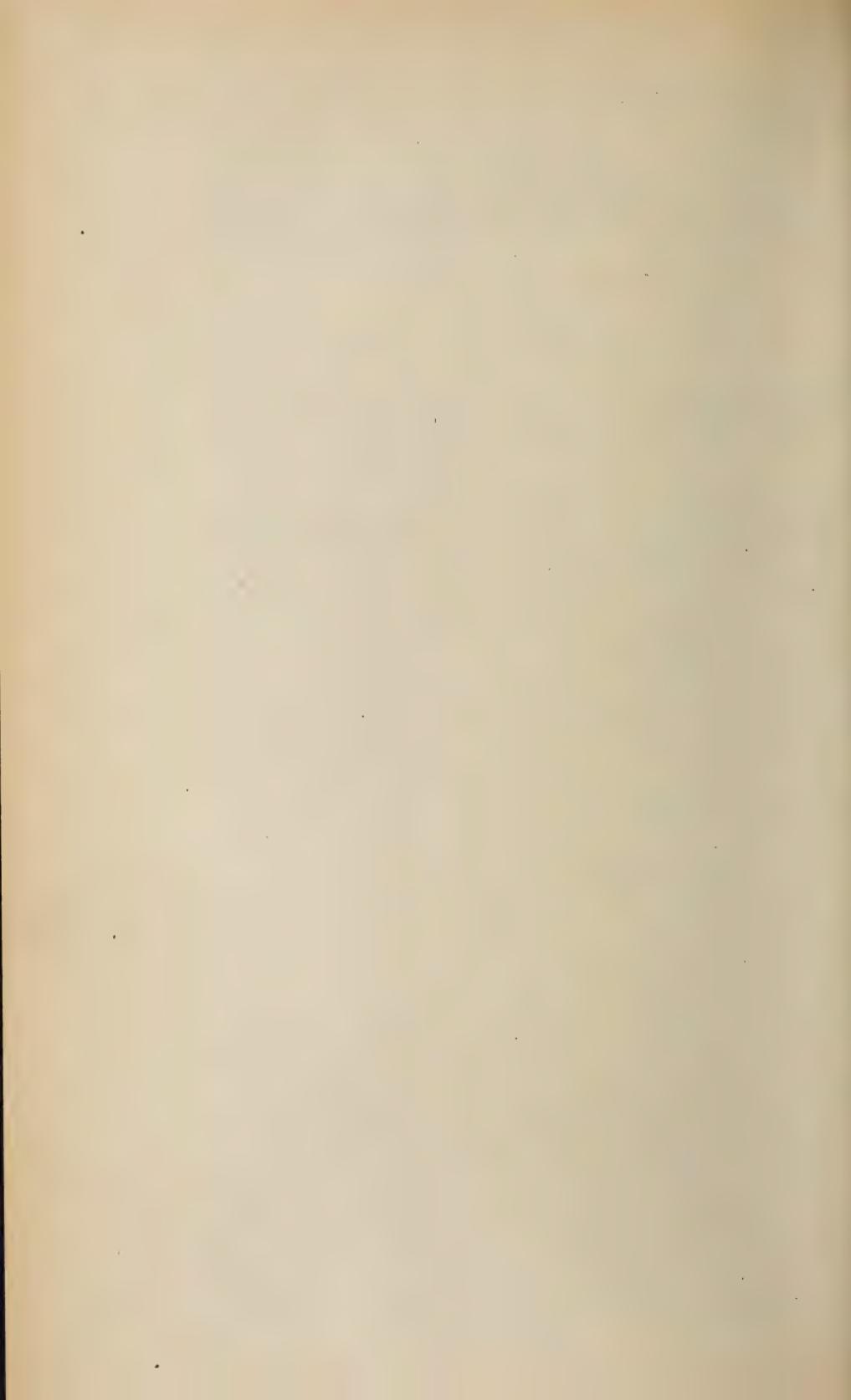
C. F. BRISTOL,

[SEAL]

Per E. W. RATHBUN,  
President.  
C. A. MILLENER,  
Secretary

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most Excellent Majesty.





## 2 EDWARD VII.

### CHAP. 41.

#### An Act respecting the Bell Telephone Company of Canada.

[Assented to 15th May, 1902.]

WHEREAS the Bell Telephone Company of Canada have, Preamble, by their petition, represented that they are desirous of increasing their capital stock, and it is expedient to grant the 1880, c. 67. 1882, c. 95. 1884, c. 88. 1892, c. 67. 1894, c. 108. prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The capital stock of the Bell Telephone Company of Canada may be increased to an amount not exceeding ten million dollars, including the present authorized stock; and such increase may be effected in the manner provided by, and shall be subject to the provisions contained in, section 5 of chapter 67 of the statutes of 1880.

**2.** Upon the application of any person, firm or corporation within the city, town or village or other territory within which a general service is given and where a telephone is required for any lawful purpose, the Company shall, with all reasonable despatch, furnish telephones, of the latest improved design then in use by the Company in the locality, and telephone service for premises fronting upon any highway, street, lane, or other place along, over, under or upon which the Company has constructed, or may hereafter construct, a main or branch telephone service or system, upon tender or payment of the lawful rates semi-annually in advance, provided that the instrument be not situate further than two hundred feet from such highway, street, lane or other place.

**3.** The rates for telephone service in any municipality may be increased or diminished by order of the Governor in Council upon the application of the Company or of any interested municipality, and thereafter the rates so ordered shall be the rates under this Act until again similarly adjusted by the Governor in Council.

Principles of regulation.

2. In increasing or diminishing said rates due regard shall be had to the principle embodied in section 3 of chapter 67 of the statutes of 1892 and to new conditions which have obtained since.

Governor in Council may order inquiry by a judge.

3. In the case of any such application the Governor in Council may commission or empower any judge of the Supreme Court or Exchequer Court of Canada, or of any superior court in any province of Canada, to inquire in a summary way into, and report to the Governor in Council whether such increase or diminution should be made, and as to the expenses incurred in and about the application and inquiry.

Expenses.

4. The Governor in Council may order the whole or any part of such expenses to be borne by the municipality or by the Company.

Powers of judge.

5. The judge may compel the attendance of witnesses and examine them under oath and require the production of books and papers, and shall have such other necessary powers as are conferred upon him by the Governor in Council for the purposes of such inquiry.

Enforcement of orders.

6. Any order made under this Act by the Governor in Council may be made an order of the Exchequer Court of Canada or of any superior court of any province of Canada, and shall be enforced in like manner as any rule or order of such court.

Interpretation.

“Rates.”

4. The word “rates” in this Act shall apply to all rates charged for the rental or use of telephones and telephone service, and also to charges for messages from any person in one municipality to any other person in another municipality, commonly known as long distance messages.

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## 2 EDWARD VII.

### CHAP. 42.

#### An Act for the relief of James Brown.

[Assented to 15th May, 1902.]

WHEREAS James Brown, of the township of Tay in the Preamble. county of Simeoe in the province of Ontario, manufacturer, has by his petition humbly set forth that, on the ninth day of October, one thousand eight hundred and ninety-three, he was lawfully married to Abigail Brown, formerly Abigail McDougall; that the said marriage was duly solemnized at the town of Penetanguishene in the said county of Simcoe according to the rites of the Church of England in Canada; that they cohabited as man and wife until on or about the twenty-fourth day of May, one thousand nine hundred; that no children born of the said marriage are now living; that on or about the twenty-fourth day of May, one thousand nine hundred, she deserted him and went to the city of Toronto in the province of Ontario, and has not since then resided with him; that, after the said desertion, he discovered, as the fact was, that she had been living an irregular life and had previous to such desertion, been committing adultery; that on several occasions in the years eighteen hundred and ninety-nine and nineteen hundred she committed adultery; and whereas he has humbly prayed that the said marriage may be dissolved so as to enable him to marry again, and that such further relief may be afforded to him as is deemed meet; and whereas he has proved the said allegations of his said petition and it is expedient that the prayer thereof be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The marriage between the said James Brown and Abigail Brown, his wife, is hereby dissolved and shall be henceforth null and void to all intents and purposes whatever. Marriage dissolved.

2. The said James Brown may at any time hereafter Right to marry any other woman whom he might lawfully marry in case the said marriage with the said Abigail Brown had not been solemnized. marry again.





## 2 EDWARD VII.

### CHAP. 43.

#### An Act respecting the Buffalo Railway Company and the International Railway Company.

[Assented to 15th May, 1902.]

WHEREAS the Niagara Falls Park and River Railway Company, the Buffalo Railway Company, the Queenston Suspension Bridge Company, the Queenston Heights Bridge Company, the Clifton Suspension Bridge Company and the International Railway Company have, by their petitions, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petitions: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The name "International Railway Company" (the successor in interest of the Buffalo Railway Company) is substituted for the name "Buffalo Railway Company" where it occurs in section 1 of chapter 54 of the statutes of 1900; but such substitution shall not in any way impair, alter or affect the liabilities of the Buffalo Railway Company, nor in any wise affect any suit or proceeding now pending or judgment existing either by, or in favour of, or against that Company, which, notwithstanding such substitution, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

**2.** The vesting in the said Company of the business, property, rights and incidents appurtenant thereto and all other things belonging to the Niagara Falls Park and River Railway Company by any agreement made between it and the said Company by the said statute of Canada does not deprive or assume to deprive the Legislature of Ontario of its powers and rights with respect to the Niagara Falls Park and River Railway Company or the jurisdiction and control of the Commissioners for the Queen Victoria Niagara Falls Park as by the said statute provided.

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## 2 EDWARD VII.

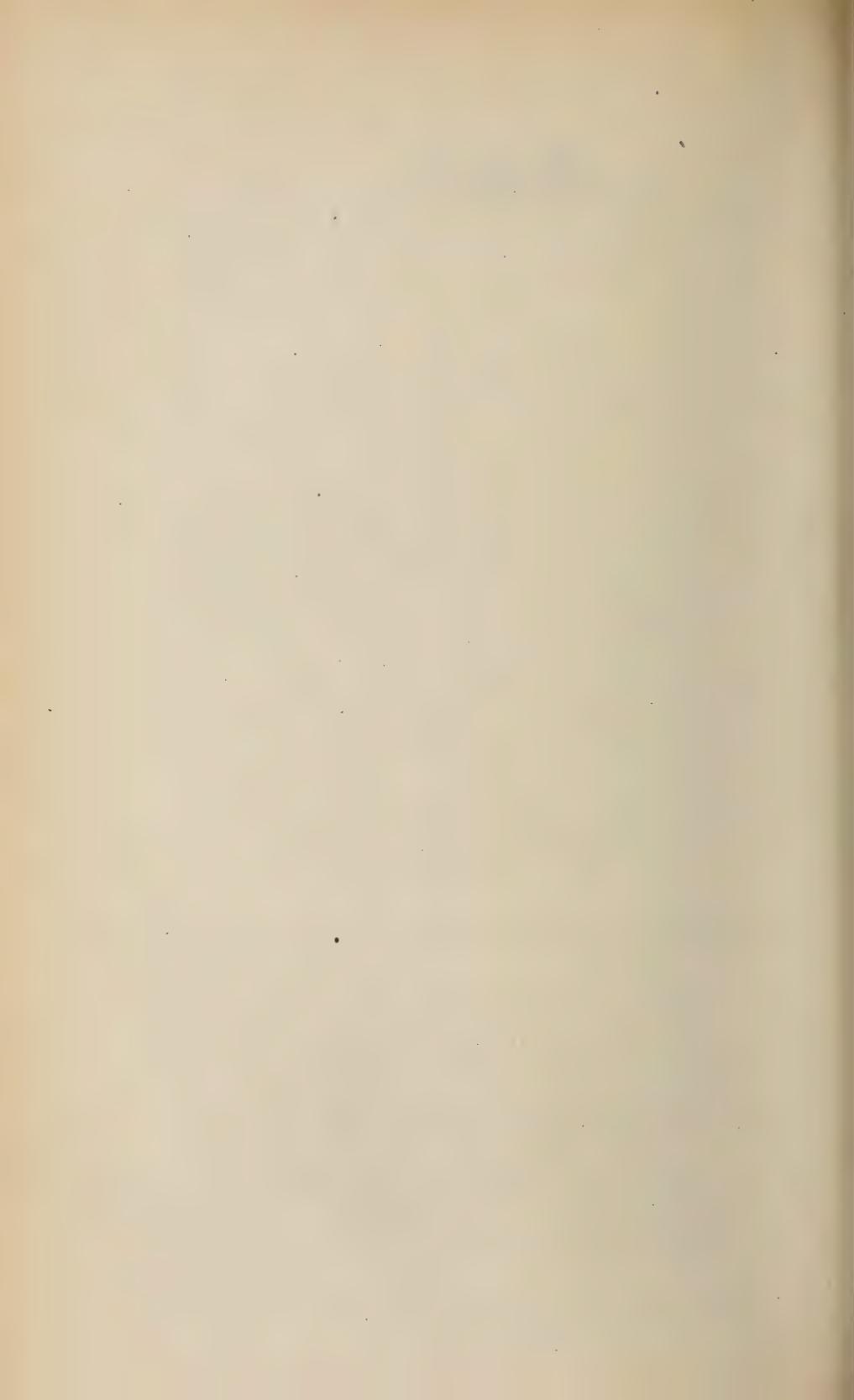
### CHAP. 44.

#### An Act respecting the Canada and Michigan Bridge and Tunnel Company.

[Assented to 15th May, 1902.]

WHEREAS the Canada and Michigan Bridge and Tunnel Preamble. Company has, under the Acts relating thereto, the power, among others, to construct, maintain, work and manage a railway bridge across the Detroit River from some point at or near the town (now city) of Windsor or the town of Sandwich, in the county of Essex, towards the city of Detroit, in the state of Michigan, one of the United States ; and whereas, by chapter 71 of the statutes of 1895, it was enacted that the 1895, c. 71. said company shall not commence the actual erection of the said bridge until an Act of the Congress of the United States has been passed assenting to or approving of the bridging of the said river ; and whereas the said company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition : Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

**1.** The times limited for the commencement and completion Time extended. of the works of the Canada and Michigan Bridge and Tunnel 1900, c. 90. Company are extended as follows : The work shall be commenced within two years after an Act of the Congress of the United States has been passed consenting to or approving of the construction, maintenance and operation of a bridge across the Detroit River, or within two years after the Executive of the United States, or other competent authority, has consented to or approved of such bridge, and shall be completed within five years after such commencement, otherwise the powers granted by this Act shall cease and be null and void as respects so much of the undertaking as then remains uncompleted ; provided, however, that if such consent is not obtained within five years after the passing of this Act, the powers granted for the construction of the said works shall cease and be null and void. Proviso.





## 2 EDWARD VII.

### CHAP. 45.

An Act to incorporate the Canada Central Railway Company.

[Assented to 15th May, 1902.]

WHEREAS a petition has been presented praying that it be Preamble. enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Thomas William Patterson, of the city of Vancouver; Incorporation. John Millen, of the city of Duluth, in the state of Minnesota, one of the United States; Ebenezer F. B. Johnston, of the city of Toronto, and B. W. Folger, of the city of Kingston, in the province of Ontario; and Paul Weedner, of the city of Detroit, in the state of Michigan, one of the United States, together with such persons as become shareholders in the company, are incorporated under the name of "The Canada Central Railway Company," Corporate name. hereinafter called "the Company."

**2.** The persons named in section 1 of this Act are Provisional directors. constituted provisional directors of the Company.

**3.** The capital stock of the Company shall be fifteen Capital stock. million dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed.

**4.** The head office of the Company shall be at the city of Head office. Winnipeg, in the province of Manitoba.

**5.** The annual meeting of the shareholders shall be held on Annual meeting. the second Tuesday in September in each year.

**6.** At such meeting the subscribers for the capital stock Election of directors. assembled, who have paid all calls due on their shares, shall choose five persons to be directors of the Company, one or more of whom may be paid directors.

Line of  
railway  
described.

**7.** The Company may lay out, construct and operate a line of railway of the gauge of four feet eight and one-half inches, from a point at or near the mouth of the French River on the north coast of Lake Huron north-westerly to some point at or near Wahnipitae Lake, thence northerly to some point at or near the head waters of the Montreal River, in the district of Nipissing, thence north-westerly to some point on the Albany River, in the province of Ontario, thence north-westerly through the district of Keewatin and the province of Manitoba to some point on or near the north end of Lake Winnipeg, thence northerly and westerly to a point not less than fifty miles north of Prince Albert, in the district of Saskatchewan, as is approved of by the Governor in Council, and thence to a point not less than fifty miles north of Edmonton, in the district of Alberta, as is approved of by the Governor in Council, and thence to Tête Jaune Cache, in the province of British Columbia,—with a branch line southerly from the said line of railway, in the province of Ontario, to the towns of Port Arthur and Fort William, on Lake Superior.

Plans to be  
filed.

**2.** The powers conferred upon the Company under the provisions of this section shall not be exercised until the Company has first filed in the Department of Railways and Canals full and sufficient plans showing the surveys, location and profiles of such portion or portions of the railway proposed to be constructed, nor until the Governor in Council approves of such plans; and the approval of the Governor in Council shall be a condition precedent to the right of the Company to proceed to construct any such portion or portions of the said railway.

Preference  
stock.

**8.** The Company may, under the authority of the ordinary shareholders given at a special general meeting duly called for that purpose, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, issue any portion of its capital stock as preferred stock, and such preferred stock shall have the special incidents and privileges defined by the following paragraphs, viz.:—

(a.) The profits of each year shall be first applied to pay a cumulative preferential dividend at a rate not exceeding six per cent per annum;

(b.) The residue of surplus profits applicable for dividend in each year shall be divided among the holders of the ordinary shares;

(c.) Nothing herein contained shall prejudice or limit the powers or discretion of the directors as to the time or mode of application and distribution of profits, or as to the setting aside of profits for a reserve fund and depreciation accounts;

(d.) The holders of the said preference stock shall also be entitled to the preferential payment of the amount paid up on their shares out of the assets available for the return of capital, in priority to any return of capital in respect of ordinary shares

in the Company; and, subject thereto, the residue of such surplus assets shall belong to and be divided among the ordinary shareholders.

2. The holders of such preference stock shall have and enjoy the rights, privileges and qualifications of holders of capital stock for voting at all meetings of shareholders and for the purpose of becoming directors. Rights of preference stock holders.

9. The Company may, in connection with its railway and for the purposes of its undertakings,— Powers of Company.

(a.) construct, acquire and navigate vessels and ferries upon any of the rivers, lakes or other inland waters of Canada connecting with or adjacent to the Company's lines of railway, and carry on generally the business of transportation in connection with the said railways, ferries, and vessels; Vessels. Transportation.

(b.) construct, acquire, lease and sell wharfs, docks, elevators, warehouses and other works for the transportation of passengers or freight upon or across the said railway and the said rivers, lakes and streams; Docks, ware-houses, etc.

(c.) acquire by lease, purchase or otherwise, any rights in letters patent, franchises, or patent rights for the purposes of the works and undertakings hereby authorized, and again dispose of such rights; Patent rights.

(d.) acquire lands, water powers and reservoirs and erect, use and manage works and manufacture machinery and plant for the generation, transmission and distribution of electric power and energy; Lands and plant.

(e.) build and maintain power houses and stations for the development of electrical force and energy. Electric power.

10. The Company may, for the purposes of its undertakings, acquire by purchase, lease, or otherwise, and utilize water powers, for the generation of electric and other power, and may dispose of surplus power. Water powers.

11. The powers in *The Railway Act* respecting or incidental to the taking of lands without the consent of the owners thereof shall not apply to any works of the Company other than those relating to the construction, operation and maintenance of the railway. Expropriation powers.

12. The Company may construct, equip, work and maintain a telegraph line and telephone line upon and along the whole length of its railway, and may establish offices for the transmission of messages for the public and collect tolls for so doing; and for the purposes of operating such telegraph and telephone lines the Company may enter into a contract with any other company, or may lease the Company's lines or any part thereof. Telegraph and telephone line.

2. The Company may enter into arrangements with any telegraph or telephone company for the exchange and transmission of messages, or for the working in whole or in part of the lines of the Company. Arrangements with telegraph or telephone companies.

Rates to be  
approved.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for leasing or using the telegraphs or telephones of the Company, until such rates or charges have been approved of by the Governor in Council, and such rates and charges shall be subject to revision, from time to time, by the Governor in Council.

R.S.C., c. 132. 4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company.

Bond issue  
limited.

13. The Company may issue bonds, debentures or other securities to the extent of twenty-five thousand dollars per mile of the railway and branches, and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Agreements  
with other  
companies.

14. The Company may enter into an agreement with the Canadian Pacific Railway Company or the Canadian Northern Railway Company for conveying or leasing to such company the railway of the Company, in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plan, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Approval of  
shareholders  
and Governor  
in Council.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties or electoral districts through which the railway of the Company runs, and in which a newspaper is published.

Agreement to  
be filed with  
Secretary of  
State.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be *prima facie* evidence of the requirements of the Act having been complied with.

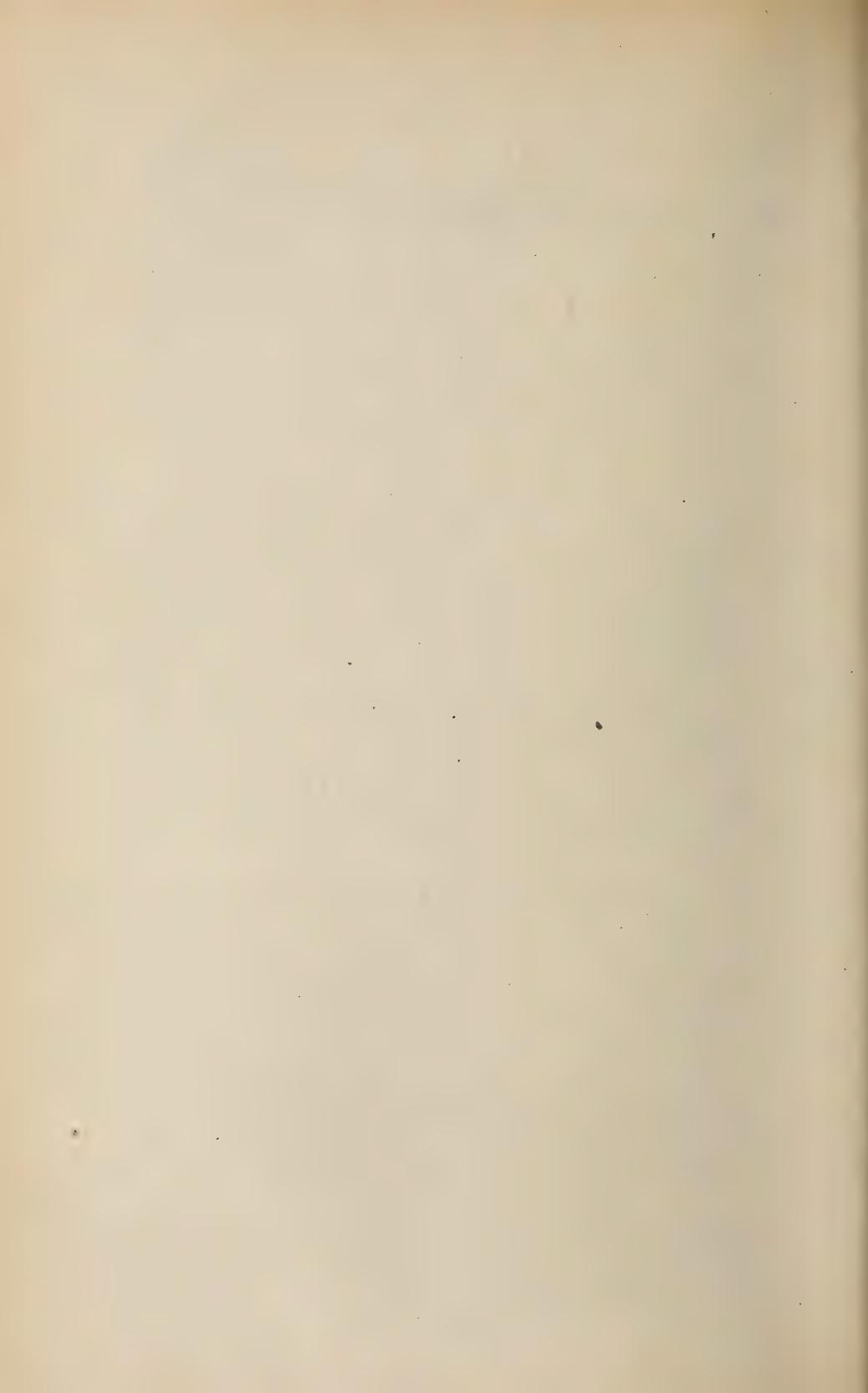
Time for  
construction  
limited.

15. If the construction of the railway is not commenced and fifteen per cent on the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not finished and put in operation within five years after the passing of this Act, the powers of

construction granted by this Act or by *The Railway Act* shall cease and be null and void as respects so much of the railway as then remains uncompleted.

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## 2 EDWARD VII.

### CHAP. 46.

#### An Act to incorporate the Canada Eastern Railway Company.

[Assented to 15th May, 1902.]

WHEREAS the Alexander Gibson Railway and Manufacturing Company has, by its petition, represented that by chapter 59 of the statutes of 1898 the undertaking of the Canada Eastern Railway Company was sold, transferred to and merged in the said first named company, and has since been operated by the said company; and whereas the said company has prayed that its railway undertaking be separated from its manufacturing business; and the persons hereinafter named have, by their petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. Alexander Gibson, senior, Alexander Gibson, junior, James Gibson, John R. McConnell, Charles H. Hatt and Frank Merritt, all of the town of Marysville, in the province of New Brunswick, together with such persons as become shareholders in the company, are incorporated under the name of "The Canada Eastern Railway Company," hereinafter called "the Company." Incorporation. Corporate name.

2. The undertaking of the Company is declared to be a work for the general advantage of Canada. Declaratory.

3. The persons named in section 1 of this Act are constituted provisional directors of the Company. Provisional directors.

4. The capital stock of the Company shall be three million dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed. Capital stock.

Head office.

**5.** The head office of the Company shall be in the town of Marysville.

Annual meeting.

**6.** The annual meeting of the shareholders shall be held on the first Wednesday in September in each year.

Election of directors.

**7.** At such meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose not less than five nor more than nine persons to be directors of the Company, the number of whom shall be determined by by-law of the Company, and one or more of whom may be paid directors.

Power to acquire railway undertaking of Alexander Gibson Railway and Mfg. Co.

1898, c. 59.

**8.** The Alexander Gibson Railway and Manufacturing Company may sell, transfer and assign to the Company its railway undertaking, together with the railway and branches, rights, franchises, powers, privileges and property of the said railway undertaking, and thereupon the Company may take and operate the said railway, and may hold the said property and may exercise the said rights, franchises, powers and privileges with all the rights and powers in respect thereof, and, in addition to the rights, franchises, powers and privileges conferred upon the Company by *The Railway Act*, the Company may exercise all the rights, franchises, powers and privileges conferred upon the Alexander Gibson Railway and Manufacturing Company (so far as relate to its railway undertaking) by chapter 59 of the statutes of 1898, and shall also be vested with and may exercise all the rights, franchises, powers and privileges previously to the said Act of 1898 conferred upon the Canada Eastern Railway Company by any Act of Parliament, and shall be subject to all restrictions, obligations, charges and liabilities mentioned in such Acts; provided that such sale has been first sanctioned by the consent in writing of every shareholder of the Alexander Gibson Railway and Manufacturing Company or, failing such consent, then by two-thirds of the votes of the shareholders present or represented by proxy at a special general meeting duly called for the purpose, (of which two weeks' notice shall be sufficient,) and by the approval of the Governor in Council, after notice of the proposed application therefor has been published in *The Canada Gazette* and also in a newspaper published at St. John, New Brunswick, for at least two weeks previous to the hearing of such application.

1890, c. 74. Approval of shareholders and Governor in Council.

Notice of application for sanction.

Agreement to be filed with Secretary of State.

2. A duplicate of the instrument of sale referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be *prima facie* evidence of the requirements of this section having been complied with.

**9.** The Company may issue bonds, debentures or other securities to the extent of twenty thousand dollars per mile of the railway and branches, and such bonds and debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed. Bond issue.

**10.** The bonds authorized by this Act shall be first used and applied towards the redemption and discharge of all bonds now existing as a lien or charge upon the whole or any part of the railway undertaking of the Alexander Gibson Railway and Manufacturing Company. Application of bonds.

**11.** The Company may enter into an agreement with the Fredericton and St. Mary's Bridge Company for acquiring by purchase, lease or otherwise any rights or powers acquired under the Acts relating to that company, also the franchises, surveys, plans, bridge, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company on such terms and conditions as are agreed upon and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council. Agreement with Fredericton and St. Mary's Bridge Co.

2. Unless the said agreement has been approved by every shareholder in each company party thereto, the sanction of the Governor in Council shall not be signified until after the notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one of the newspapers in each of the counties through which the railway of the Company runs, and in which a newspaper is published. Notice of application for sanction.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and thereupon such amalgamation shall be deemed to be complete and operative according to the terms of the said agreement, and the production of *The Canada Gazette* containing such notice shall be *prima facie* evidence of the requirements of this section having been complied with. Agreement to be filed with Secretary of State.

**12.** The Company may pay for the railway undertaking mentioned in section 8 of this Act, and for the undertaking of the Fredericton and St. Mary's Bridge Company mentioned in section 11 of this Act, by issuing to the Alexander Gibson Railway and Manufacturing Company and to the Fredericton and St. Mary's Bridge Company, or the individual shareholders of either of the said companies, shares of stock and bonds of the Payment for undertaking by Company's stock and bonds.

Company hereby incorporated, and such shares shall be issued as fully paid up and non-assessable.

Powers of  
Company.

Electricity.

Power.

Patent rights.

Surplus  
power.

Wharfs,  
elevators and  
tramways.

Vessels.

Telegraph  
and telephone  
lines.

Arrangements  
with telegraph  
and telephone  
companies.

Rates to be  
approved.

R.S.C., c. 132.

**13.** The Company may, in connection with its business and for the purposes of its railway undertaking,—

(a.) acquire lands and erect, use and manage works, and manufacture machinery and plant for the generation, transmission and distribution of electric power and energy and other motive power;

(b.) acquire exclusive rights in letters patent, franchises and patent rights for the purpose of the works and undertakings hereby authorized, and again dispose of such rights;

(c.) sell or lease any surplus power which it may develop or acquire either as water power or other motive power, or by converting the same into electricity or other force for the distribution of light, heat or power or for all purposes for which electricity or other motive power can be used, and may transmit the same;

(d.) construct, acquire, lease and dispose of piers, wharfs, docks, storehouses, elevators and tramways, and may charge tolls or rates for the use of the said wharfs, storehouses, elevators and tramways;

(e.) construct, acquire, charter and operate steam and other vessels for the purpose of carrying freight and passengers to and from points in Canada, and may dispose of such vessels, and may charge tolls or rates for passengers or freight carried thereon.

**14.** The Company may construct and operate telegraph and telephone lines upon and along the whole length of its railway and branches, and may establish offices for the transmission of messages for the public and collect tolls for so doing; and for the purposes of operating such telegraph and telephone lines the Company may enter into a contract with any other company, or may lease the Company's lines or any part thereof, and may connect its lines with the lines of any telegraph or telephone company.

2. The Company may enter into arrangements with any telegraph or telephone company for the exchange or transmission of messages, or for the working in whole or in part of the lines of the Company.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for leasing or using the telegraphs or telephones of the Company, until such rates or charges have been approved by the Governor in Council, and such rates and charges shall be subject to revision, from time to time, by the Governor in Council.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company.

**15.** The Company may acquire, hold and dispose of stock and bonds in any other company, provided that such power shall not be exercised unless and until the directors have been expressly authorized by a by-law passed by them for the purpose and sanctioned by a vote of not less than two-thirds in value of the shareholders present or represented by proxy at a special or general meeting of the Company duly called for the purpose of considering the subject of such by-law, and such by-law shall also be subject to the approval of the Governor in Council.

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## 2 EDWARD VII.

### CHAP. 47.

#### An Act respecting the Canada Southern Railway Company.

[Assented to 15th May, 1902.]

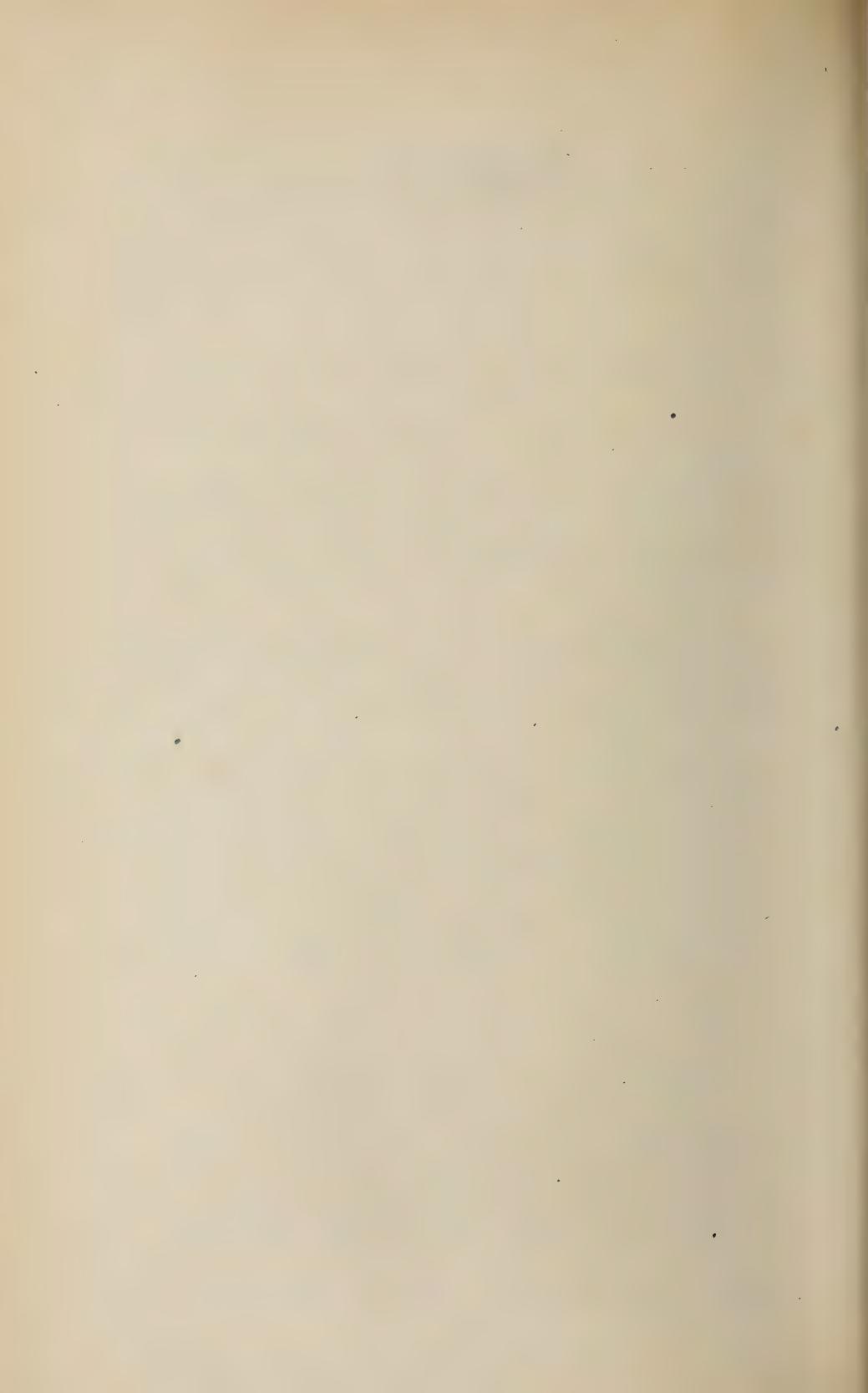
WHEREAS the Canada Southern Railway Company has, by Preamble. its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The times limited by the Acts respecting the Canada Time Southern Railway Company and the Erie and Niagara Rail-extended. way Company, set forth in the schedule to this Act, for com-<sup>1863, c. 59  
(Dom.)</sup> mencing and completing the lines or branches of railway authorized by such Acts, or any of them, are continued <sup>1873, c. 86  
(Dom.)</sup> and extended as follows: The said lines or branches shall be commenced within three years and completed within five years <sup>1872, c. 48  
(Ont.)</sup> from the first day of July, one thousand nine hundred and <sup>1873, c. 86  
(Ont.)</sup> two, and the powers to construct them are revived and confirmed, and the powers conferred by the said Acts with respect to such lines and branches, and by this Act, shall, if the said lines or branches are not commenced and completed as herein provided for the construction thereof, be null and void as respects so much thereof as then remains uncompleted.

### SCHEDULE.

Year and Chapter.	Title of Act.
27 Vict. (Prov. of Can.), c. 59.	Known as the "Erie and Niagara Railway Company Act of 1863."
36 Vict. (Can.), c. 86 .....	An Act to amend the Erie and Niagara Railway Company Act of 1863.
35 Vict. (Ont.), c. 48 .....	An Act to confer further corporate powers on the Canada Southern Railway Company.
36 Vict. (Ont.), c. 86 .....	An Act respecting the Canada Southern Railway Company.

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## 2 EDWARD VII.

### CHAP. 48.

#### An Act to incorporate the Canadian Manufacturers' Association.

[Assented to 15th May, 1902.]

WHEREAS the persons hereinafter named have, by their Preamble. petition, represented that they and others have for some time past been associated together under the name of The Canadian Manufacturers' Association, and have prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** W. K. George, J. J. McGill, Geo. Booth, A. Campbell, Incorporation. C. R. H. Warnock, H. Cockshutt, James Goldie, W. C. Breck-enridge, T. H. Smallman, J. B. Henderson, J. O. Thorn, S. M. Wickett, Wm. Stone, J. H. Housser, R. J. Christie, Geo. H. Hees, J. R. Shaw, Jno. M. Taylor, Thos. Roden, J. P. Murray, A. W. Thomas, E. G. Gooderham, P. H. Burton, Frederic Nicholls, C. N. Candee, R. Millichamp, E. C. Boeckh, R. Y. Ellis, Frank Paul, the Honourable J. D. Rolland, W. W. Watson, A. E. Ogilvie, Wm. McMaster, Jas. Davidson, C. C. Ballantyne, G. W. Sadler, P. W. Ellis, J. F. Ellis, A. E. Kemp, W. K. McNaught, Edward Gurney, and such others as are now members of the association mentioned in the preamble, together with such others as hereafter become members of the association hereby incorporated, are incorporated under the name of "The Canadian Manufacturers' Association," here- Corporate name. inafter called "the Association."

**2.** The objects of the Association shall be to promote Canadian industries and to further the interests of Canadian manufacturers and exporters, and to render such services and assistance to members of the Association, and to manufacturers and exporters generally, as the Association shall deem advisable from time to time. Objects.

Existing officers and by-laws continued.

**3.** The members of the Association who, at the time of the passing of this Act, hold office in, or are members of any committee of the unincorporated association, shall continue to hold the same offices, and to act on the same committees, until the next annual general meeting of the Association; and, in like manner, the Association shall continue to work under the existing constitution, by-laws and regulations of the unincorporated association until the next annual meeting of the Association, and from that date the Association shall have such officers and committees having such powers and duties as the Association may, from time to time, by by-law or resolution determine.

Head office.

**4.** Until otherwise determined by the Association, the head office of the Association shall be in the city of Toronto, in the province of Ontario.

By-laws, etc.

**5.** The majority of the members of the Association present at any annual or special meeting called for that purpose may make by-laws, rules and regulations for the government of the Association, including by-laws providing for the admission, suspension, expulsion or retirement of members, and for the imposing of fees, subscriptions and penalties, which shall be binding upon all members of the Association, and on all its officers, servants and others lawfully under its control.

Powers of Association.

**6.** The Association may—

(a.) publish such pamphlets, periodicals or other publications as are deemed advisable in the interests of the Association or any of its members;

(b.) organize, establish, regulate and dissolve branches or sections of the Association, but no such branch or section shall be deemed to be a separate corporation;

(c.) engage in the work of developing and promoting the export trade of Canadian goods by such means as may be considered desirable by the Association;

(d.) obtain information and statistics for its members or for Canadian manufacturers and exporters, and render to them such other services or assistance as may be deemed advisable;

(e.) purchase or acquire real property, and mortgage, lease, sell or otherwise alienate the same, provided that the value of such property held by the Association at any one time shall not exceed fifty thousand dollars.

Arbitration powers.

**7.** The Association may provide by by-law for the appointment of arbitrators, members of the Association, to hear and decide controversies, disputes or misunderstandings relating to any commercial matter which may arise between members of the Association or any person whatsoever claiming by, through or under them, which may be voluntarily submitted for arbitration by the parties in dispute.

2. Members assenting to an arbitration by an instrument in <sup>Agreement to</sup> writing shall be understood to have submitted to the decision <sup>submit to</sup> arbitration of the majority of the arbitrators appointed to hear the case and to decide upon the same.

3. The arbitrators appointed to hear any case submitted for <sup>Powers of</sup> arbitration as aforesaid, may examine upon oath (which oath <sup>arbitrators.</sup>) any one of such arbitrators is hereby empowered to administer) any party or witness who appears before them, and shall give their award thereupon in writing, and their decision, or that of a majority of them, given in such award shall be final and binding upon the parties.

8. The Association may, by by-law or resolution, provide <sup>Committees</sup> for the appointment of committees of inquiry to inquire into <sup>of inquiry.</sup> any matter affecting the manufacturing import or export interests of Canada, and such committees may examine upon oath (which oath any member of said committee is hereby empowered to administer) any party who appears before them, and the evidence so taken may be used to assist the Association in arriving at a decision with reference to the matter under consideration.

9. All meetings of the Association shall be called by notice <sup>Notices of</sup> mailed to each member at least fifteen days before the holding <sup>meetings.</sup> of such meetings, and all notices of special meetings shall state the objects of such meetings

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## 2 EDWARD VII.

### CHAP. 49.

#### An Act to incorporate the Canadian Northern Express Company.

[*Assented to 15th May, 1902.*]

WHEREAS a petition has been presented praying that it be <sup>Preamble.</sup> enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** William Mackenzie and Donald D. Mann, of the city of <sup>Incorpora-</sup> <sup>tion.</sup> Toronto, Roderick J. Mackenzie, of the city of Winnipeg, and Zebulon Aiton Lash and Ernest William McNeill, of the city of Toronto, together with such persons as become shareholders in the company, are incorporated under the name of "The Canadian Northern Express Company," hereinafter called <sup>Corporate</sup> <sup>name.</sup> "the Company."

**2.** The persons named in section 1 of this Act are constituted <sup>Provisional</sup> <sup>directors.</sup> the provisional directors of the Company, a majority of whom shall be a quorum, and they shall hold office until the appointment of a board of directors at the first general meeting of shareholders of the Company, and shall, until such board is appointed, have all the powers of the board.

**3.** The head office of the Company shall be in the city of <sup>Head office.</sup> Toronto, but the meetings of the directors and of the shareholders may be held in such other places in Canada, and elsewhere, as shall be from time to time determined by by-law.

**4.** The capital stock of the Company shall be one million <sup>Capital stock</sup> dollars, divided into shares of one hundred dollars each, and the capital may be increased in the manner provided by section 37 of *The Railway Act.* <sup>Increase of capital.</sup>

**5.** As soon as fifty thousand dollars of the capital stock has <sup>First meeting of Company.</sup> been subscribed and allotted and ten per cent paid in thereon, the provisional directors shall call a meeting of the shareholders

holders for the election of a board of directors and for the transaction of such other business as may be transacted at the annual general meeting of the Company.

Directors.

**6.** The business of the Company shall be managed by a board of directors, consisting of so many, not less than three, as may from time to time be decided by the shareholders at an annual general meeting or at a special general meeting called for the purpose.

Business of  
Company.

**7.** The Company may, for hire, send, carry and transport from and to any places in Canada or elsewhere goods, wares, merchandise, packages, parcels and money, and for such purposes may contract with all persons and companies, and may construct or acquire by purchase, lease, charter or otherwise, and may maintain, operate, sell, lease and otherwise dispose of boats, vessels, cars, vehicles and other conveniences and conveyances, and may carry on generally the business of an express company.

Borrowing  
powers.

**8.** If authorized by by-law passed by the directors and sanctioned by a vote of not less than two-thirds in value of the shareholders present or represented by proxy at a special general meeting of the shareholders duly called for considering the subject of such by-law, or at an annual general meeting, the directors may borrow money upon the credit of the Company and may issue bonds, debentures or other securities of the Company for the lawful purposes of the Company, and may pledge or sell the same, and may hypothecate, mortgage or pledge the real and personal property, rights and powers of the Company to secure payment of such bonds, debentures or other securities, or of money borrowed, or to secure any indebtedness or liability of the Company: Provided that no such bonds, debentures or other securities shall be for a less sum than one hundred dollars each.

Proviso.

Shares in  
other  
companies.

**9.** Notwithstanding section 41 of *The Companies Clauses Act*, the Company may acquire by purchase or otherwise and may dispose of shares in the capital stock of, and the bonds, debentures or other securities of, any company authorized to carry on an express business.

R.S.C., c. 118.    **10.** Sections 18 and 39 of *The Companies Clauses Act* shall not apply to the Company.

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## 2 EDWARD VII.

### CHAP. 50.

#### An Act respecting the Canadian Northern Railway Company

[Assented to 15th May, 1902.]

WHEREAS the Canadian Northern Railway Company has, Preamble. by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

**1.** The Canadian Northern Railway Company, hereinafter called "the Company," may lay out, construct and operate the following lines of railway of the gauge of four feet eight and one-half inches, namely,— Lines of railway described.

(a.) from a point on the Company's line between Port Arthur and Fort Frances, Ontario; thence in a generally north-easterly and south-easterly direction to a point in or near the city of Quebec, and from points on the line hereby authorized to points in or near Port Arthur, Ottawa and Montreal respectively;

(b.) from a point on the Company's line at or near McCreary station, Manitoba, passing through or near Cartwright to the southerly boundary of Manitoba;

(c.) from a point on the Company's authorized line near the Narrows of Lake Manitoba to a point at or near Battleford, thence by the Company's present authorized line through Edmonton, and thence to the Pacific Coast at or near Skeena River by way of the Pine River Pass;

(d.) from a point on the Company's authorized line east of Edmonton, passing southerly between Beaver Lake and Birch Lake in Alberta, and thence west of Sullivan Lake to the Red Deer River;

(e.) from a point on the Company's authorized line at or near the Elbow of the Saskatchewan River, to a point at or near the mouth of the Carrot River near Pas Mission.

Time for  
construction  
limited.

**2.** The respective lines hereby authorized shall be commenced and completed within the respective times below mentioned, otherwise the powers hereby granted for their construction respectively shall cease and be null and void as respects so much of the said lines respectively as then remains uncompleted, viz. :—The lines mentioned in paragraph (a) of section 1 shall be commenced within five years and completed within ten years from the passing of this Act; the lines mentioned in paragraphs (b) and (c) shall be commenced within two years and completed within five years from the passing of this Act; the lines mentioned in paragraphs (d) and (e) shall be commenced within three years and completed within six years from the passing of this Act.

Transfer of  
stock.

**3.** The directors may make regulations respecting the form of stock certificates and the transfer of stock in the capital of the Company.

Bonding  
powers.

**4.** The Company may from time to time issue bonds, debentures or other securities for the purpose of the acquisition by purchase, construction or otherwise of vessels, hotels, terminals and other properties required for use in connection with the undertakings of the Company, and secure them by mortgage on the vessels, hotels, terminals or other properties so acquired: Provided that the total amount of bonds, debentures or other securities to be issued and outstanding for the said purposes and those to be issued and outstanding in respect of the lines authorized to be constructed under this Act shall not at any one time exceed twenty-five thousand dollars per mile of the said last mentioned lines.

Waterpowers.

**5.** The Company may, for the purposes of its undertakings, acquire by purchase, lease or otherwise and utilize water powers for the generation of electric and other power, and may dispose of surplus power, and the Company may acquire by purchase, lease or otherwise and may establish parks and pleasure resorts in connection with its railways and vessels.

Parks, etc.

Aid to  
settlers.

Lands.

**6.** The Company may aid settlers upon lands served by the Company's railways and may improve and utilize the Company's lands, and may acquire by purchase, lease or otherwise lands outside of Canada required for use in connection with the Company's undertakings.

Agreement  
with Morden  
and North-  
western  
Railway  
Company.

Man., 1902,  
c. 65.

**7.** The Company may enter into an agreement with the Morden and North-western Railway Company (which has been authorized in that behalf by chapter 65 of the statutes of the province of Manitoba of 1902), for amalgamation with that company under the name of "The Canadian Northern Railway Company," or may purchase by agreement of sale from that company, on such terms as may be agreed on, its undertakings, rights, franchises, lines, assets and properties, real and personal.

**2.** The works of the said Morden and North-western Railway Company so amalgamated or acquired by the said purchase, are declared to be works for the general advantage of Canada.

**8.** The agreement for amalgamation may prescribe the terms and conditions of the amalgamation, and may provide for the mode of carrying it into effect, the mode of converting the capital stock of each company into that of the amalgamated company, and such other and additional terms and conditions as may be necessary or convenient for perfecting the new organization and the management and working thereof.

**9.** Any agreement made under section 7 of this Act shall be submitted to the shareholders of each of the companies parties thereto at an annual general meeting, or at a special general meeting of each company called for the purpose of considering such agreement, at each of which meetings shareholders representing at least two-thirds in value of the capital stock of each company are present or represented by proxy; and if such agreement be accepted and approved by resolution passed by two-thirds of the votes of the shareholders so present or represented by proxy, it may be executed and delivered and an application may be made to the Governor in Council for an order approving thereof, and upon such order being made such agreement shall be valid and binding according to its terms, and may be acted upon and carried out.

**10.** Unless an agreement made under section 7 of this Act has been approved by every shareholder in each company party thereto, the sanction of the Governor in Council shall not be signified until after notice of the proposed application for the said Order in Council has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties through which the railway of the Morden and North-western Railway Company runs, and in which a newspaper is published.

**11.** Upon the agreement of amalgamation being accepted and approved and executed and delivered as aforesaid, and the said Order in Council being made, the Canadian Northern Railway Company, as amalgamated, shall possess and be vested with all the powers, franchises, privileges, assets, rights, credits, effects and properties, real, personal and mixed, of whatever kind and wheresoever situated, belonging to, possessed by or vested in the Morden and North-western Railway Company, or to which that company may be or become entitled.

**12.** A duplicate of any agreement made under section 7 of this Act shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Canadian Northern Railway Company in *The Canada Gazette* and the production of *The*

*Canada Gazette* containing such notice shall be *prima facie* evidence of the requirements of this Act having been complied with.

Existing  
rights not  
affected.

**13.** Nothing in any agreement made under section 7 of this Act, or done in pursuance thereof, shall take away or prejudice any claim, demand, right, security, cause of action, complaint or contract which any person has against or with either of the companies parties to such agreement, nor shall it relieve such company from any claim, demand, right, security, cause of action or complaint or contract, or from the payment or performance of any existing debt, liability, obligation, contract or duty.

Future claims  
not affected.

**14.** No pending or future claim, action or proceeding, by or against either of the said companies shall abate or be affected by such amalgamation, but for all the purposes of such claim, action or proceeding the amalgamated company may be substituted therein.

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## 2 EDWARD VII.

### CHAP. 51.

#### An Act to incorporate the Canadian Northern Telegraph Company.

*[Assented to 15th May, 1902.]*

WHEREAS a petition has been presented praying that it be Preamble. enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. William Mackenzie and Donald D. Mann, of the city of Incorporation. Toronto, Roderick J. Mackenzie, of the city of Winnipeg, Zebulon Aiton Lash and Ernest William McNeill, of the city of Toronto, together with such persons as become shareholders in the company, are incorporated under the name of "The Corporate name. Canadian Northern Telegraph Company," hereinafter called "the Company."
2. The works of the Company are declared to be for the Declaratory. general advantage of Canada.
3. The persons named in section 1 of this Act are constituted Provisional directors. the provisional directors of the Company, a majority of whom shall be a quorum, and they shall hold office until the appointment of a board of directors at the first general meeting of shareholders of the Company, and shall, until such board is Powers. appointed, have all the powers of the board.
4. The head office of the Company shall be in the city of Head office. Toronto, but the meetings of the directors and of the shareholders may be held in such other places in Canada and elsewhere as the directors from time to time determine.

5. The capital stock of the Company shall be five million Capital stock dollars divided into shares of one hundred dollars each, and the capital may be increased in the manner provided by section Increase of capital. 37 of *The Railway Act.*

First meeting of Company.

**6.** As soon as one hundred thousand dollars of the capital stock have been subscribed and allotted and twenty-five per cent paid in thereon, the provisional directors shall call a meeting of the shareholders for the election of a board of directors and for the transaction of such other business as may be transacted at the annual general meeting of the Company.

Directors.

**7.** The business of the Company shall be managed by a board of directors, consisting of so many, not less than three, as is from time to time decided by the shareholders at an annual general meeting or at a special general meeting called for the purpose.

Business of Company.

**8.** The Company may establish, construct or acquire by purchase, lease or otherwise, and may maintain and operate any overhead, underground or cable lines of telegraph from and to any places in Canada or elsewhere, and may make connection with any telegraph lines in Canada or elsewhere, or lease its lines, or any part thereof.

Arrangements with telegraph companies.

**9.** The Company may enter into arrangements with any telegraph company for the exchange and transmission of messages, or for the working in whole or in part of the lines of the Company.

Rates to be approved by Governor in Council.

**10.** No rates or charges shall be demanded or taken for the transmission of any message by telegraph or for leasing or using the telegraphs of the Company, until such rates or charges have been approved of by the Governor in Council, and such rates and charges shall be subject to revision from time to time by the Governor in Council.

Manufacture of telegraph plant.

**11.** The Company may manufacture, purchase or otherwise acquire, lease, deal in, sell and dispose of instruments, apparatus, plant and appliances used or for use in connection with a telegraph business.

Borrowing powers.

**12.** If authorized by by-law sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company represented at a general meeting duly called for considering the by-law, the directors may from time to time,—

(a.) borrow money upon the credit of the Company ;  
 (b.) limit or increase the amount to be borrowed ;  
 (c.) issue bonds, debentures or other securities of the Company and pledge or sell the same for such sums and at such prices as may be deemed expedient ; but no such bonds, debentures or other securities shall be for a less sum than one hundred dollars each ;

(d.) hypothecate, mortgage, or pledge the real or personal property of the Company, or both, to secure any such bonds, debentures or other securities and any money borrowed for the purposes of the Company.

**13.** The Company may acquire by purchase or otherwise, and may dispose of, shares in the capital stock of, and the bonds, debentures or other securities of, any company authorized to carry on a telegraph business.

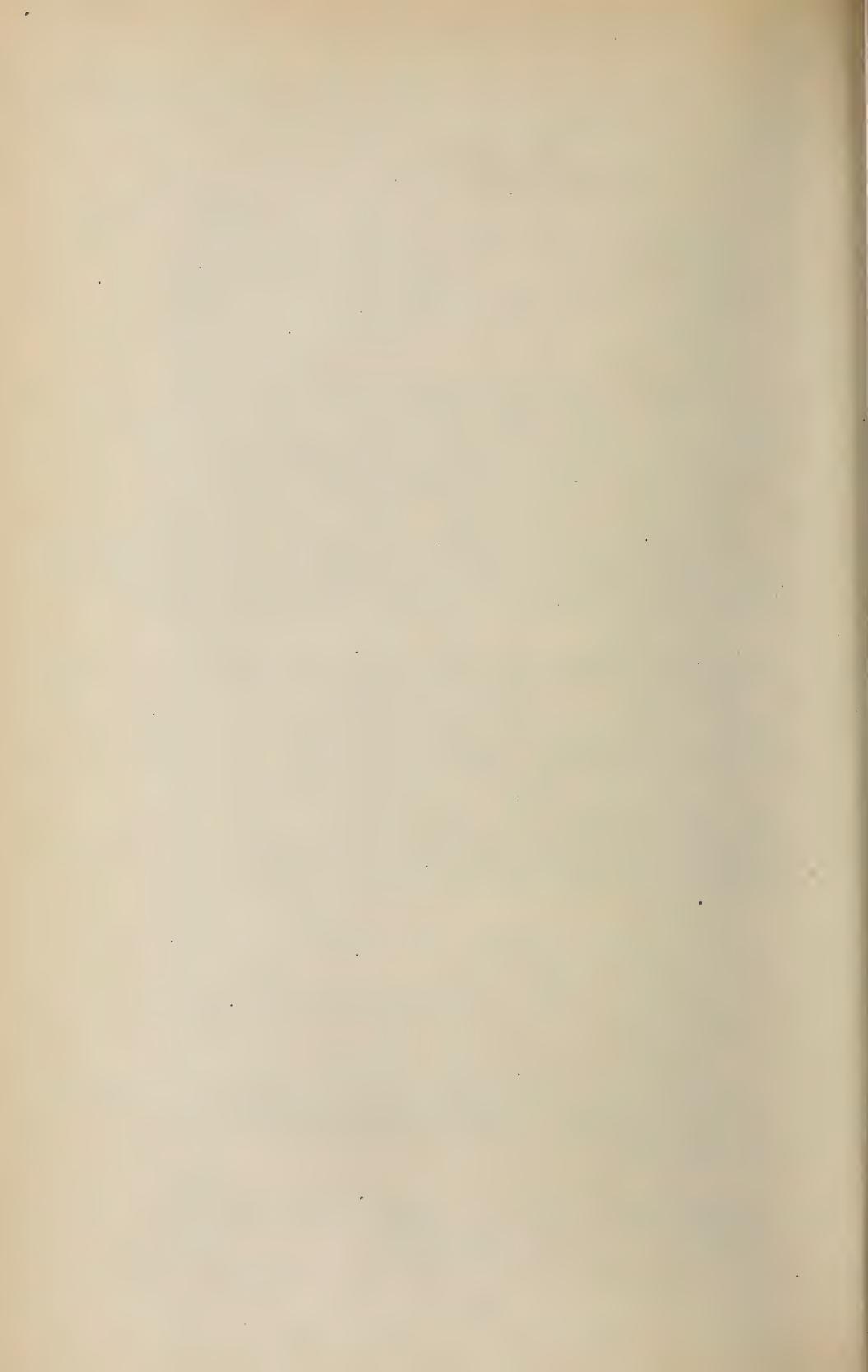
**14.** The Company may enter upon the lands of His Majesty, and of any person or corporation whatsoever, and survey the same, and set out and ascertain such parts thereof as it thinks necessary and proper for the construction and erection of the said lines of telegraph and take possession of and use the same for such purpose ; and when the said lines pass through any wood, cut down the trees and underwood for the space of fifty feet on each side of the said lines, doing as little damage as may be in the execution of the several powers hereby granted ; and the Company shall make compensation and satisfaction, whenever required so to do, to the owners or proprietors of, or the persons interested in, the lands so entered upon, for all damage by them sustained resulting from the execution of any of the powers granted by this Act.

**2.** If the Company cannot agree with the owner or occupier of any lands which it may take for the purposes aforesaid, with respect to any damage done thereto by constructing its lines, the Company and such owner or occupier shall each choose an arbitrator, and the said arbitrators shall choose a third, and the decision on the matter in difference of any two of such arbitrators in writing shall be final ; and if the said owner or occupier, or the agent of the Company, neglects or refuses to choose an arbitrator within four days after notice in writing, and upon proof of service of such notice, or if such two arbitrators, when duly chosen, disagree in the choice of a third arbitrator, then and in any such case the Minister of Public Works may appoint any such arbitrator, or such third arbitrator, as the case may be, and the arbitrator so appointed shall possess the same power as if chosen in the manner above provided.

**15.** Sections 18, 39 and 41 of *The Companies Clauses Act* R.S.C., c. 118, shall not apply to the Company.

**16.** *The Electric Telegraph Companies Act* shall apply to R.S.C., c. 132, the Company.

**17.** Subject to the provisions of this Act, the subsection 1888, c. 29 ; added as subsection 2 to section 90 of *The Railway Act* by 1899, c. 37. section 1 of chapter 37 of the statutes of 1899 shall apply to the Company.





## 2 EDWARD VII.

### CHAP. 52.

#### An Act respecting the Canadian Pacific Railway Company.

[Assented to 15th May, 1902.]

WHEREAS the Canadian Pacific Railway Company has, Preamble. by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** This Act may be cited as *The Canadian Pacific Railway Act, 1902.* Short title.

**2.** The expression “the Company,” when used in this Act, Interpretation. means the Canadian Pacific Railway Company.

**3.** The Company may construct or acquire and may operate a railway in the province of Quebec from a point at or near Piles Junction on the North Shore Railway or from a point on the Piles branch of that railway, thence in a north-westerly direction to Shawenegan Falls, and thence in a north-easterly direction to Grand'Mère. Line of railway described.

**4.** The said railway shall be commenced within two years and completed within five years from the passing of this Act, Time for construction limited. otherwise the powers hereby granted for its construction shall cease as to so much thereof as is not commenced and completed within such periods respectively.

**5.** The Company may issue bonds which shall be a first lien and charge and be secured exclusively upon the said railway in the same way and with the same effect as if it were a branch railway within the meaning of section 1 of chapter 51 of the statutes of 1888, and the said section shall apply accordingly; or, in lieu of such bonds, the Company may issue consolidated debenture stock, the holders of which shall have equal rights in all respects and rank *pari passu* with 1888, c. 51. Debenture stock.

holders of such consolidated debenture stock as the Company has been, before the passing of this Act, authorized to issue; provided that the capital of such bonds or consolidated debenture stock shall not exceed the rate of twenty-five thousand dollars per mile of such railway constructed or under contract to be constructed.

Time extended  
for construc-  
tion of railway  
authorized by  
1900, c. 55.

**6.** The Company shall commence within two years and complete within five years from the passing of this Act the railway which it was authorized by chapter 55 of the statutes of 1900 to construct from a point on the Company's railway at or near New Westminster, thence to Vancouver by such route as may be found most direct and feasible; otherwise the powers of construction hereby granted shall cease and be null and void with respect to so much of the said railway as shall not be commenced and completed within such periods respectively.

Power to  
hold land,  
buildings, etc.

**7.** The Company may purchase, rent, hold and enjoy, as well in Canada as in such other places as are deemed expedient for the purposes of the Company, and either in the name of the Company or in the name of trustees for the Company, such lands, wharfs, docks, warehouses, offices, elevators and other buildings as it may find necessary and convenient for its purposes, and sell or dispose thereof for the purposes of the Company, and may take, hold and dispose of shares in any companies having for one of their objects the purchase, renting, taking, holding and enjoying of lands, wharfs, docks, warehouses, offices, elevators and other buildings, in Canada or elsewhere, to be used for the purposes of the Company or its steamship connections.

Hotels and  
restaurants.

**8.** The Company may, for the purposes of its railway and steamships and in connection with its business, build, purchase, acquire or lease for hotels and restaurants, such buildings as it deems advisable and at such points or places along any of its lines of railway and lines operated by it or at points or places of call of any of its steamships, and may purchase, lease and hold the land necessary for such purposes, and may carry on business in connection therewith for the comfort and convenience of the travelling public, and may lay out and manage parks and pleasure grounds upon the property of the Company and lease the same from or give a lease thereof to any person, or contract with any person for their use, on such terms as the Company deems expedient.

Mining and  
smelting.

**9.** The Company may, in order to utilize its land grant and the land grants of other railway companies owned or controlled by the Company, in so far as they are available for mining and lumbering operations, engage in general mining, smelting and reduction, the manufacture and sale of iron and steel and lumber and timber manufacturing operations upon such lands

Iron and steel  
manufacture.

Lumber.

or in connection therewith, and may sell and dispose of the products thereof, and may also make such agreements with actual or intended settlers upon such lands as it deems expedient for promoting the settlement and cultivation thereof, including the advancing of moneys for such purposes and upon the security of the lands settled upon respectively.

**10.** The Company may, in connection with its business or Electricity. for the purposes of its undertakings, acquire or construct and operate such buildings and works as are necessary for generating and transmitting electricity, and sell or otherwise dispose of surplus power so generated and not required for operating its railways and other works.

**11.** The Company may excavate, construct, maintain and Irrigation. operate irrigation ditches or canals upon its lands for supplying water for irrigating any portion of such lands and for supplying water for irrigation, water-power or other purposes to municipalities, cities or towns, and to individuals, corporations or companies holding lands contiguous to the lands of the Company, and, for the purposes aforesaid, generally exercise the powers of an irrigation company.

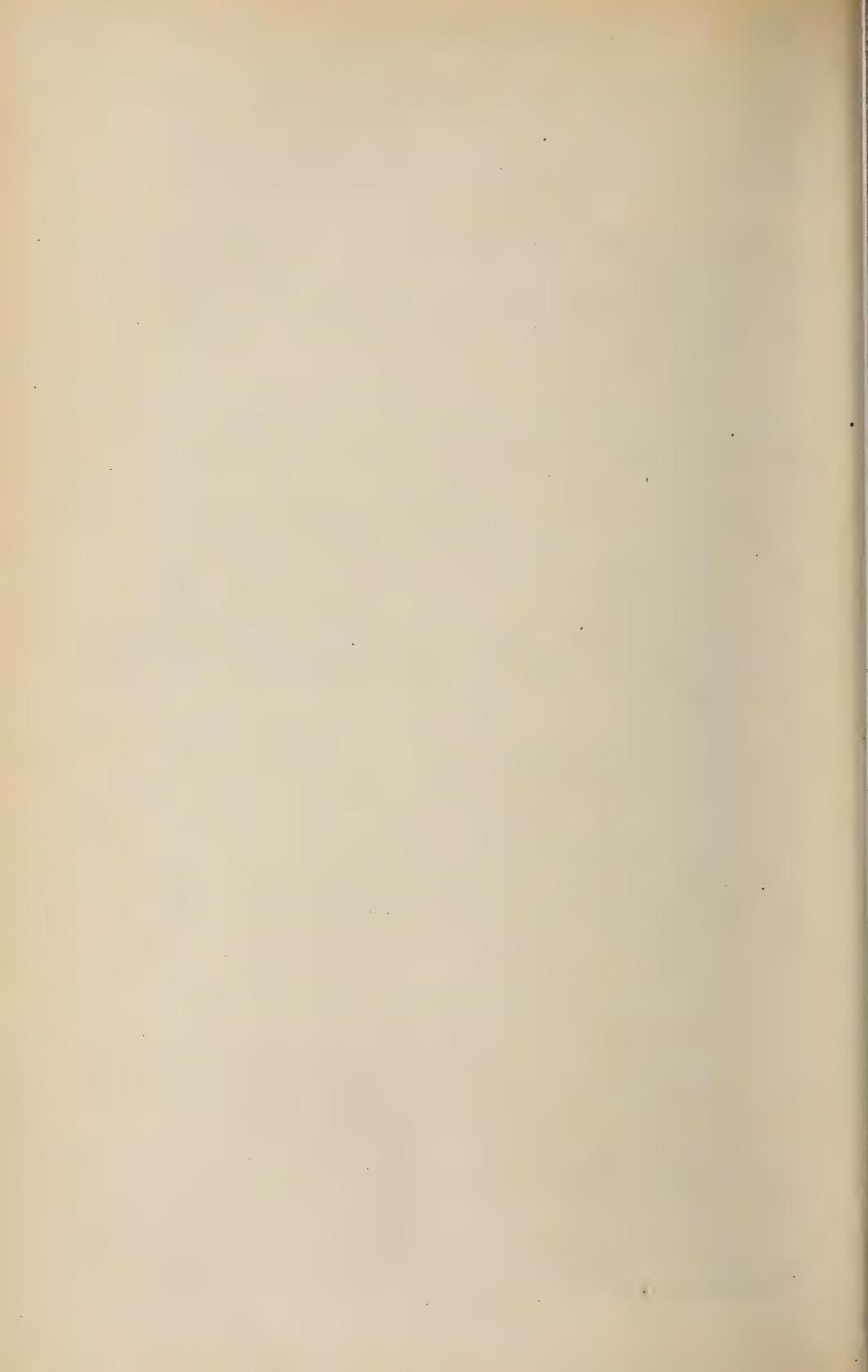
**12.** Section 6 of schedule A of chapter 1 of the statutes of 1881, c. 1, 1881 is repealed, and the following is substituted therefor:— schedule A. New s. 6.

“**6.** The directors of the Company shall be elected by ballot at the shareholders' meeting and shall each hold at least two hundred and fifty shares of the stock of the Company. They shall be subject to the same conditions as the directors appointed by or under the authority of the last preceding section. The number of directors shall be such, not exceeding fifteen, as shall be fixed by by-law, and may be altered from time to time in like manner. They shall remain in office for the period or respective periods fixed by by-law, approved of by the shareholders, but the terms of office of at least one-fourth of the directors shall expire each year, and such retiring directors shall be eligible for re-election.”

Number, and term of office.

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## 2 EDWARD VII.

### CHAP. 53.

#### An Act respecting the Central Counties Railway Company.

[Assented to 15th May, 1902.]

WHEREAS the Central Counties Railway Company has, by Preamble. its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Section 7 of chapter 82 of the statutes of 1887 is 1887, c. 82, s. 7 amended. amended by striking out the word "April" in line three thereof, and substituting therefor the word "September." Annual meeting.

**2.** Section 2 of chapter 60 of the statutes of 1899 is 1899, c. 60, new s. 2. repealed, and the following is substituted therefor:—

"**2.** The Company may issue bonds, debentures or other Bond issue. securities to the extent of twenty thousand dollars per mile of the said sections two and six, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed."

**3.** Section 4 of the said Act is repealed.

S. 4 repealed.

**4.** The sections of the undertaking of the Company not yet constructed shall be completed within three years from the passing of this Act, otherwise the powers granted for such construction by the Acts relating to the Company shall cease and be null and void as respects so much of the undertaking as then remains uncompleted. Time for construction limited.

**5.** Paragraph (b) of section 1 of chapter 89 of the statutes of 1891, as that paragraph is enacted by section 1 of chapter 60 of the statutes of 1899, is amended by striking out the words

“or Casselman,” in the fifth line thereof, and by inserting after the word “Russell” in the sixth line thereof the words “and thence to the city of Ottawa, in the county of Carleton.”

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## 2 EDWARD VII.

### CHAP. 54.

An Act for the relief of Samuel Nelson Chipman.

[Assented to 15th May, 1902.]

WHEREAS Samuel Nelson Chipman, of the township of Preamble South Crosby, in the county of Leeds, in the province of Ontario, farmer, has, by his petition, humbly set forth that on the twenty-fourth day of February, eighteen hundred and ninety-seven, at the city of Ottawa, in the said province of Ontario, he was lawfully married to Mary Ellen Pratt, then of the said city of Ottawa, spinster; that they cohabited together as husband and wife until on or about the eleventh day of June, eighteen hundred and ninety-seven, when she deserted him; that she has ever since continued to live apart from him; that on or about the seventh day of April, nineteen hundred, she went through a form of marriage with one Lewis C. Newcombe, of the city of Duluth, in the state of Minnesota, one of the United States of America, and has since been living and cohabiting with the said Lewis C. Newcombe; and whereas the said Samuel Nelson Chipman has humbly prayed that the said marriage between him and the said Mary Ellen Chipman may be dissolved and that he may be authorized to marry again, and that such further relief may be afforded him as is deemed meet; and whereas he has proved the said allegations of his petition, and it is expedient that the prayer thereof be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between the said Samuel Nelson Chipman and Mary Ellen Chipman, his wife, is hereby dissolved, and shall henceforth be null and void to all intents and purposes whatever. Marriage dissolved.

Right to  
marry again.

2. The said Samuel Nelson Chipman may at any time hereafter marry any woman whom he might lawfully marry in case the said marriage with the said Mary Ellen Chipman had not been solemnized.

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## 2 EDWARD VII.

### CHAP. 55.

An Act respecting *La Compagnie du Chemin de fer de Colonisation du Nord.*

[Assented to 15th May, 1902.]

WHEREAS *La Compagnie du Chemin de fer de Colonisation du Nord* has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. The Act to incorporate *La Compagnie du Chemin de fer de Colonisation du Nord*, chapter 62 of the statutes of 1899, is <sup>1899, c. 62</sup> revived. hereby revived and declared to be in force.

2. The election of the board of directors at a meeting of the shareholders held on the second day of November, one thousand nine hundred and one, is hereby confirmed and declared to be valid. <sup>Election of directors confirmed.</sup>

3. The number of directors may be increased to seven or reduced to five by a by-law approved by a majority of the shareholders of the Company. <sup>Number of directors.</sup>

4. The Company may, in connection with its railway and for the purposes of its railway business,— <sup>Powers of Company.</sup>

(a.) acquire lands, and erect, use and manage works, machinery and plant, for the generation, transmission and distribution of electric power and energy; <sup>Electricity.</sup>

(b.) build and maintain power houses and stations for the development of electric power and energy; <sup>Power houses.</sup>

(c.) acquire by lease, purchase or otherwise, any rights in letters patent, franchises or patent rights for the purpose of its works and undertakings, and sell and dispose thereof; <sup>Letters patent.</sup>

(d.) sell or lease any surplus power which the Company may develop or acquire, either as water power or by converting it into electricity or other force for the distribution of light, heat or power, or for all purposes for which electricity can be used; <sup>Surplus power.</sup>

(e.) acquire, manage and operate hotels and parks along its line of railway. <sup>Hotels and parks.</sup>

1899, c. 62.  
s. 3 amended.

**5.** Section 3 of chapter 62 of the statutes of 1899 is amended by striking out the words "one million" on line one thereof, and substituting therefor the words "three hundred thousand."

Time for  
construction  
limited.

**6.** If the construction of the railway is not commenced and fifteen per cent of the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not finished and put in operation within five years after the passing of this Act, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

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## 2 EDWARD VII.

### CHAP. 56.

#### An Act to incorporate the Cosmos Cotton Company.

[Assented to 15th May, 1902.]

WHEREAS a petition has been presented praying that it be Preamble. enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Charles T. Grantham, of the city of Hamilton, in the province of Ontario, and Robert Caie, Thomas Killam, John H. Killam and the Reverend William H. Heartz, all of the town of Yarmouth, in the province of Nova Scotia, together with such persons as become shareholders in the company, are incorporated under the name of the "Cosmos Cotton Company," hereinafter called "the Company." Incorporation. Corporate name.

**2.** The capital stock of the Company shall be six hundred thousand dollars, divided into shares of one hundred dollars each; of which capital stock any part not exceeding three hundred and fifty thousand dollars may be created and issued as preference stock, as hereinafter provided. Capital stock.

**3.** The head office of the Company shall be at the town of Yarmouth, in the province of Nova Scotia. Head office.

**4.** The persons named in section 1 of this Act are constituted provisional directors of the Company, three of whom shall be a quorum, and, until directors are elected by the shareholders of the Company, they shall have power to allot shares and have all the other powers which are conferred upon directors by this Act or by *The Companies Clauses Act*, R.S.C., c. 118. and any three of them may call meetings of the provisional directors which shall be held in the town of Yarmouth at such times as they determine, and the notice of such meeting shall be signed by the provisional directors calling it. Provisional directors. Powers.

**2.** All notices calling meetings of the provisional directors shall state the date and place of holding such meetings, and shall be signed by the provisional directors. Meetings of provisional directors.

shall be mailed by registered letter, postage prepaid, to the address of each of the other provisional directors, not less than ten days previous to the date of such meeting, and the mailing of such letter shall be sufficient notice of such meeting.

Preference stock.

3. The provisional directors may create, allot and issue any part of the capital stock of the Company, not exceeding three hundred and fifty thousand dollars, as preference stock, with such preference and priority with respect to dividends and otherwise over ordinary stock, and subject to such restrictions and conditions, either as to the right of voting in respect thereof, as to rate of dividend, or otherwise, as the provisional directors decide and determine; provided that the holders of such preference stock may vote as ordinary shareholders at all meetings of shareholders called for the purpose of borrowing money under section 10, or of increasing the capital stock under section 11 of this Act.

Ordinary shares.

4. The provisional directors may, in their discretion, allot and issue the whole of the capital stock as ordinary shares.

Vacancy in provisional directorate.

5. The provisional directors may act notwithstanding any vacancy in their number, provided that if the number falls below three, they shall forthwith fill the vacancies by calling in other subscribers for the capital stock of the Company before transacting any further business.

First meeting of Company.

5. After at least fifty per cent of the capital stock of the Company has been subscribed and allotted, the provisional directors shall call a meeting of the shareholders of the Company to be held at such time and place in the town of Yarmouth as they think proper, and notice of such meeting shall be given by mailing, at least ten days before the holding thereof, a written notice of the time and place, postage prepaid and registered, to the address of each such shareholder.

Notice of meeting.

6. At the first general meeting of the Company and at each annual general meeting thereafter, the shareholders shall choose five persons from among their number to be the directors of the Company, the majority of whom shall be a quorum and one or more of whom may be paid directors; and notwithstanding anything to the contrary in *The Companies Clauses Act*, the majority of the directors need not be resident in Canada nor British subjects.

Alien directors.

7. The Company may—

(a.) manufacture duck, canvas, cloth, ropes, yarns, fishing lines, sewing thread, and all other fabrics, goods, articles and products of every kind and description which can or may be manufactured, either wholly or partly, of cotton, wool, sisal, hemp, flax, manilla or other substance or material capable of being spun, twisted or woven;

(b.) dye, bleach, print or otherwise prepare the raw material, yarns or manufactured goods;

(c.) buy, sell and deal in any and all manufactured goods and products of the character and description aforesaid and in the substances and materials of which the same or any of them can or may be manufactured or produced, and also in the waste material arising during the process of manufacture;

(d.) construct, purchase, rent, lease or otherwise acquire all land, easements, buildings, machinery, motive power, letters patent of invention, patent rights, trade marks, plant, material and property necessary or conducive to the business of the Company, and sell, lease or otherwise dispose of the same, or of any rights or interests therein or in any part thereof;

(e.) buy, lease or otherwise acquire the land, easements, buildings, plant, machinery, manufactured stock, material, contracts, rights, good-will, property or assets of any other company, firm or person carrying on the same or a like business, or engaged either wholly or partly in any business which the Company hereby incorporated may lawfully conduct or engage in under the powers aforesaid.

**8.** The directors may issue as paid-up and unassessable stock Issue of  
paid-up stock. shares of the capital stock of the Company, either preference or ordinary or both, in payment of and for any of the lands, easements, buildings, plant, machinery, manufactured stock, materials, motive power, letters patent of invention, patent rights, trade marks, contracts, good-will, assets or other property which the Company may lawfully acquire by virtue hereof, and may allot and hand over such shares to any person, firm or company, or to its shareholders; and any such issue or allotment of stock shall be binding upon the Company and such stock shall not be assessable for calls nor shall the holder thereof be liable in any way thereon, and the Company may pay for any such property wholly or partly in paid-up shares, either preference or ordinary or both, as the directors deem proper.

**9.** The Company may enter into an agreement with the Purchase of  
property of  
Yarmouth  
Duck and  
Yarn Co. Yarmouth Duck and Yarn Company, Limited, for the purchase of the land, buildings, easements, plant, machinery, manufactured stock, material, contracts, good-will, assets and other property of every kind and description of the said Yarmouth Duck and Yarn Company, Limited, and the said respective companies are hereby authorized to enter into such agreement, and to carry the same into effect; provided such agreement is ratified in writing by every shareholder of the Yarmouth Duck and Yarn Company, Limited, or, if any of them be dead, by his legal or personal representative.

2. The purchase price or consideration upon such sale and How price  
payable. conveyance may be paid and received in fully paid-up and unassessable shares of the capital stock of the Company, either preference or ordinary or both, which shares shall be issued, allotted, handed over and received by virtue of and in accordance with section 8 of this Act.

Liabilities  
of Yarmouth  
Company.

3. It shall be a term of the said agreement that the Company shall assume and pay all debts and liabilities of the Yarmouth Duck and Yarn Company, Limited, incurred and outstanding at the date of the conveyance and delivery to the Company of the property and assets of the Yarmouth Duck and Yarn Company, Limited; and the rights, remedies and recourse of the then existing creditors of the Yarmouth Duck and Yarn Company, Limited, against the last named company, its property or assets, shall not be prejudicially affected or impaired by the sale, conveyance or delivery of such property and assets to the Company as aforesaid.

Borrowing  
powers.

**10.** The directors may, when authorized by a by-law for that purpose approved by the votes of holders of at least two-thirds in value of the subscribed stock of the Company present or represented by proxy at a special general meeting called for considering such by-law, borrow such sums of money, not exceeding in amount seventy-five per cent of the paid-up capital stock of the Company, as the shareholders deem necessary and may issue bonds or debentures therefor in sums of not less than one hundred dollars each, at such rate of interest and payable at such time and place and secured in such manner by a mortgage or otherwise upon the whole or any portion of the property and undertaking of the Company as may be provided by such by-law or decided upon by the directors under the authority thereof, and the Company may make such provisions respecting the redemption of such securities as may be deemed proper.

Increase  
of capital

**11.** After the whole of the capital stock of the Company has been issued and paid up, the capital stock of the Company may be increased, from time to time, to an amount not exceeding one million dollars by a resolution of the shareholders approved of by vote of the holders of at least two-thirds in value of the stock of the Company present or represented by proxy at a special general meeting of the shareholders called for the purpose of considering such resolution, and such increased capital stock shall be issued and may be held subject to the same conditions and dealt with in the same manner as the original capital stock of the Company, and such part of such increased capital stock may be created and issued as preference stock with such preference and priority over ordinary shares and subject to such conditions and restrictions as to voting in respect thereof or otherwise as may be decided upon by vote of the shareholders as aforesaid at any such meeting as aforesaid.

Redemption  
of preference  
shares.

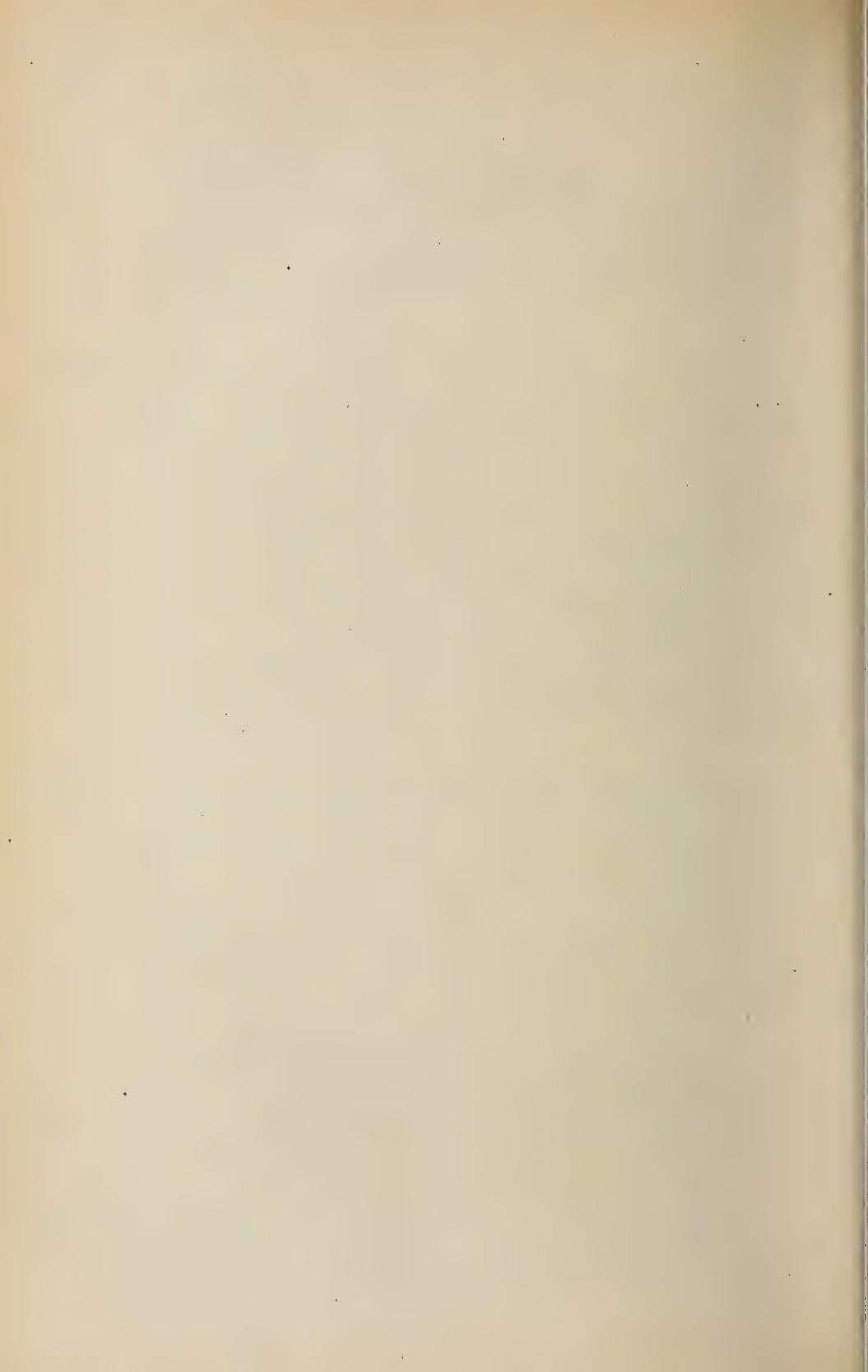
**12.** The Company shall redeem its preference stock at par at the expiration of twenty years from the date of issue; provided however that the Company may, at any time after the expiration of five years from such date of issue, redeem the

said preference stock at a premium of five per cent, upon giving to the holders thereof three months' notice in writing of the intention of the Company to redeem the same.

**13.** Section 18 of *The Companies Clauses Act* shall not apply to this Act. R.S.C., c. 115.

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most Excellent Majesty.





## 2 EDWARD VII.

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### CHAP. 57.

An Act to incorporate the Crown Bank of Canada.

[Assented to 15th May, 1902.]

WHEREAS the persons hereinafter named have, by their Preamble. petition, prayed that an Act be passed for the purpose of establishing a bank in the city of Toronto, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The persons hereinafter named, together with such others Incorporation. as become shareholders in the corporation by this Act created, are constituted a corporation by the name of "The Crown Corporate name. Bank of Canada," hereinafter called "the Bank."

**2.** The capital stock of the Bank shall be two million Capital stock. dollars.

**3.** The chief office of the Bank shall be at the city of Chief office. Toronto, in the province of Ontario.

**4.** James McMullen, of Mount Forest, Michael Patrick Provisional directors. Davis, of Ottawa, Whitford Van Dusen, Henry Romain Hardy, William James Clark and David A. Gordon, all of Toronto, shall be the provisional directors of the Bank.

**5.** This Act shall, subject to the provisions of section 16 of Duration of Act. *The Bank Act*, continue in force until the first day of July, one thousand nine hundred and eleven.

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## 2 EDWARD VII.

### CHAP. 58.

#### An Act to incorporate the Dominion Association of Chartered Accountants.

*[Assented to 15th May, 1902.]*

WHEREAS the persons hereinafter named have, by their *Preamble*, petition, prayed that it may be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** William H. Cross, Henry Barber, Edward R. C. Clark-<sup>Incorpora-</sup><sub>tion.</sub>, John Mackay, Robert F. Spence and James George, all of the city of Toronto; John Hyde, Archibald W. Stevenson, Alexander F. C. Ross, all of the city of Montreal; John C. Browne, James F. Cunningham and Peter Larmonth, all of the city of Ottawa; Llewelyn A. Nares and Ernest H. Taylor, both of the city of Winnipeg; John F. Helliwell, of the city of Vancouver; W. Curtis Sampson, of the city of Victoria; Frederick S. Thompson and F. S. Sharpe, of the city of St. John, N.B.; Fred. H. Oxley, William Sims Lee, both of the city of Halifax, practising accountants, and all other persons who may from time to time be admitted to membership of the corporation, are hereby constituted a body politic and corporate by the name of "The Dominion Association of Char-<sup>Corporate</sup><sub>tered Accountants," hereinafter called "the Association."</sub> <sup>name.</sup>

**2.** The objects and powers of the Association shall be to *Objects and powers.* promote by all lawful means the practice of accountancy, and for the said purposes,—

- (a.) to hold such examinations as may be found expedient;
- (b.) to grant certificates of efficiency to its members;
- (c.) to establish classes of membership;
- (d.) to determine the rights, privileges, terms and conditions of said classes.

**3.** The Association shall be composed of all members in *Membership.* good standing of existing provincial incorporated institutes

and associations, who shall apply for membership within one year after the passing of this Act, and of any other persons of whose qualifications and fitness the council approves.

Power to hold  
and dispose  
of property.

**4.** The Association may take, purchase and hold any personal property, lands, buildings and hereditaments, for the purpose of the Association, and may dispose thereof, but so that the Association shall apply all its profits, if any, or other income in promoting its objects, and shall not at any time pay any dividends to its members. The provisions of this section shall not prevent the remuneration of members of the council or officers of the Association for services rendered out of any surplus remaining after the ordinary expenses of the Association have been met.

Council of  
management.

**5.** The affairs and business of the Association shall be managed by a council consisting of not less than six and not more than twenty-one members, to be constituted in such manner as may be provided by by-law; and the following persons shall constitute the first council, viz.:—William H. Cross, Henry Barber, John Mackay, John Hyde, A. W. Stevenson, Alexander F. C. Ross and John C. Browne.

General  
meetings.

**6.** The first general meeting of the Association shall be held during the year one thousand nine hundred and two at such time and place and upon such notice as the council may decide. Subsequent general meetings shall be held as the by-laws of the Association may provide, but at least once in each calendar year. At any general or special meeting members may be represented and vote by proxy, but no such proxy shall be exercised by a person who is not a member of the Association.

By-laws of  
Council.

**7.** The objects and powers of the Association shall be carried out and exercised under by-laws and resolutions passed by the council, but every such by-law, unless in the meantime confirmed at a general meeting of the Association called for the purpose of considering the same, shall have force only until the next annual meeting, and in default of confirmation thereat shall cease to have force; provided always that any by-law passed by the council may be repealed, amended, varied or otherwise dealt with by the Association, at any annual general meeting or at a special general meeting called for the purpose.

Power to  
corporation to  
make by-laws.

**8.** The Association in general or special meeting assembled may make by-laws for carrying out its objects and exercising the powers of this Act conferred upon it.

Affiliation  
with other  
bodies.

**9.** The Association may affiliate with any association or corporation having the same or similar objects.

**10.** If any person ceases for any cause whatever to be a member of the Association he shall not nor shall his representatives have any interest in or claim against the funds and property of the Association.

Ex-member  
has no claim  
to property.

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## 2 EDWARD VII.

### CHAP. 59.

#### An Act respecting the Dominion Cotton Mills Company, Limited.

*[Assented to 15th May, 1902.]*

WHEREAS the Dominion Cotton Mills Company, Limited, Preamble. has, by its petition, prayed that it be enacted as herein-after set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Section 2 of chapter 98 of the statutes of 1900 is 1900, c. 98,  
new s. 2. repealed, and the following is substituted therefor:—

“**2.** The directors may, by resolution, when authorized by a by-law for that purpose, approved by the votes of holders of at least two thirds in value of the subscribed stock of the Company present or represented by proxy at a special general meeting called for considering such by-law, borrow, from time to time, such sums of money not exceeding in amount seventy-five per cent of the value of all the immovable property, buildings, plant and machinery belonging to the Company, and may issue bonds and debentures therefor of sums of not less than one hundred dollars each, at such rate of interest, payable at such time and place and secured in such manner by way of transfer, mortgage, hypothec or otherwise upon the whole or any part of the property and undertaking of the Company as may be provided by such by-law or determined by the directors under the authority of such by-law.

“**2.** No bond or debenture issued under the provisions of this section shall be held to be invalid in the hands of a bona fide holder for value, by reason that the said property was not of the value stated in the said resolution.”

**2.** The directors may make such provisions respecting the redemption of such bonds and debentures as they deem proper. Redemption of bonds, etc.





## 2 EDWARD VII.

### CHAP. 60.

#### An Act to incorporate the Dyment Securities, Loan and Savings Company.

[Assented to 15th May, 1902.]

WHEREAS the persons hereinafter named have, by their Preamble. petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Nathaniel Dyment, Simon Dyment, A. E. H. Creswick, Incorporation. all of the town of Barrie, in the county of Simcoe, Thomas Baker, of the city of London, in the county of Middlesex, and Albert E. Dyment, of the town of Thessalon, in the district of Algoma, all in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "The Dyment Securities, Loan and Corporate name. Savings Company," hereinafter called "the Company."

**2.** The persons named in section 1 of this Act shall be the Provisional directors. provisional directors of the Company, a majority of whom shall be a quorum for the transaction of business, and they may forthwith open stock books, procure subscriptions of stock for Powers. the undertaking, make calls on stock subscribed, and receive payments thereon, and shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed or otherwise received by them on account of the Company, and may withdraw the same for the purposes only of the Company, and may do generally what is necessary to organize the Company.

**3.** The capital stock of the Company shall be two million Capital stock. dollars, divided into shares of one hundred dollars each.

**2.** Such capital stock may be issued either in sterling or currency, or both, as the directors determine, and if any of such capital stock is issued in sterling it shall be at the rate of four dollars and eighty-six and two-third cents per pound sterling. Currency of issue.

Election of  
directors.

3. So soon as not less than one hundred thousand dollars of the capital stock have been subscribed and not less than fifty thousand dollars of that amount paid into some chartered bank in Canada, the provisional directors may call a general meeting of the shareholders at some place to be named in the town of Barrie, at which meeting shall be elected the board of directors of the Company, who shall hold office until their successors are appointed; and upon the election of such board the functions of the provisional directors shall cease.

Qualification.

4. No person shall be a director unless he holds in his own name and for his own use at least thirty shares of the capital stock of the Company, and has paid all calls due thereon and all liabilities incurred by him to the Company.

Head office.

4. The head office of the Company shall be at the town of Barrie, in the province of Ontario, or at such other place in Canada as the Company from time to time determines by by-law, but the directors may establish other offices and places of business elsewhere.

Election of  
directors.

5. At the first general meeting of the Company, and at each annual meeting, the holders of the capital stock present or represented by proxy who have paid all calls due on their shares shall choose not less than three nor more than nine persons to be directors of the Company, and a majority of whom shall form a quorum.

Number may  
be changed.

2. The number of directors may, within the limits aforesaid, be changed from time to time by a vote of the shareholders at any general meeting of the Company.

Voting power.

3. Every shareholder of the Company who has paid all calls due on his shares shall be entitled to one vote for each share held by him.

When  
business  
may be  
commenced.

6. The Company shall not commence business until at least three hundred thousand dollars of the capital stock have been subscribed and at least one hundred thousand dollars have been paid thereon in cash into the funds of the Company to be appropriated only for the purposes of the Company under this Act: Provided that the Company shall not borrow nor lend money or otherwise carry on business until it has obtained from the Minister of Finance a certificate permitting it to do so, and that no application for such certificate shall be made and no certificate shall be given until it has been shown to the satisfaction of the Minister of Finance that the foregoing provisions of this section have been complied with, and no such certificate shall be given unless application therefor is made within two years after the passing of this Act, or within such extended period as the Governor in Council, before the expiration of such two years, allows: Provided also, that, should such certificate not be duly made within the time limited or should such certificate be refused, this Act shall thereupon cease

Proviso.

cease and become void except for the purpose of winding up the affairs of the Company and returning to the subscribers the amounts paid upon the subscribed stock, or so much thereof as they are entitled to.

7. The Company may carry on the business of lending money on, or purchasing, selling, investing and dealing in, mortgages or hypotheces upon freehold or leasehold real estate or other immovables, debentures, bonds, stocks and other securities and obligations of any government, or of any municipal, school or other corporation, life insurance policies, annuities and endowments, but not including bills of exchange or promissory notes: Provided always, that the Company shall not invest in debentures, bonds, stocks and other securities and obligations of any body corporate not incorporated by Canada or a province of Canada or any former province now forming part of Canada to any further or greater extent than seventy-five per cent of the paid-up capital of the Company; and provided further that the Company shall not invest in, or lend upon the security of, the stock of any other loan company.

2. The Company may take personal security as collateral for any advance made or to be made, or debt due the Company.

8. The Company may, subject to the provisions of this Act, act as an agency association for the interest and on behalf of others who intrust it with money for that purpose, and may, either in the name of the Company or of such others, lend and advance money to any person or body corporate, or municipal or other authority, or any board or body of trustees or commissioners, upon such securities as are mentioned in the next preceding section, and may purchase and acquire any securities on which they are authorized to advance money, and again re-sell the same.

2. The conditions and terms of such loans and advances, and of such purchases and re-sales, may be enforced by the Company for its benefit, and for the benefit of the person or corporation for whom such money has been lent and advanced, or such purchase and re-sale made; and the Company shall have the same power in respect of such loans, advances, purchases and sales as are conferred upon it in respect of loans, advances, purchases and sales made from its own capital.

3. The Company may also guarantee the repayment of the principal or the payment of the interest, or both, of any moneys intrusted to the Company for investment.

4. The Company may, for every or any of the foregoing purposes, lay out and employ the capital and property, for the time being, of the Company, or any part of the moneys authorized to be raised by the Company in addition to its capital for the time being, or any moneys so intrusted to it as aforesaid, and may do, assent to and exercise all acts whatsoever which, in the opinion of the directors of the Company for the time

Loaning and  
investment  
powers.

Personal  
security.

Agency  
association.

Enforcement  
of agreements.

Guarantee of  
moneys.

Employment  
of capital.

time being, are requisite or expedient to be done in regard thereto.

Money  
guaranteed  
to be deemed  
borrowed.

5. All moneys of which the repayment of the principal or payment of interest is guaranteed by the Company, shall, for the purposes of this Act, be deemed to be money borrowed by the Company.

Trustee  
powers.

9. The Company may act as agent or trustee for the purpose of issuing or countersigning certificates of stock, bonds, or other obligations of any association or corporation, and as attorney or agent for the collection of interest, dividends, debts, mortgages, debentures, bonds, coupons and other securities for money.

Liquidation  
of other  
companies.

10. The Company may liquidate, and carry on for the purposes of such liquidation, the business of any other company, partnership or person carrying on any business which the Company is authorized to carry on, upon such terms as may be agreed upon.

Loans upon  
Company's  
stock.

11. The Company may lend upon its own paid-up stock to an amount not exceeding in the aggregate of all such loans ten per cent of the Company's paid-up stock, but no such loan shall exceed eighty per cent of the market price then actually offered for the stock; and, except as in this section provided, the Company shall not make any loan or advance upon the security of any share or shares or stock of the Company, whether with or without collateral security: Provided however, that the Company may pass a by-law prohibiting absolutely the loaning to shareholders upon the security of their stock or (subject to the limitations contained in this section) a by-law limiting the aggregate amount which may be loaned on such stock, and it shall not be lawful for the Company to repeal either of such by-laws until the liabilities of the Company are discharged.

Moneys on  
deposit.

12. The Company may borrow money and receive money on deposit upon such terms as to interest, security, time of payment and otherwise as may be agreed on, and may issue its bonds, debentures and other securities for moneys borrowed; and may borrow also on the security of any stocks, bonds, debentures, or other securities purchased and owned by it; provided always that the total of the Company's liabilities to the public outstanding from time to time shall not exceed four times the amount paid upon its capital stock; and provided further that the amount held on deposit shall not at any time exceed the aggregate amount of its then actually paid-up and unimpaired capital and of its cash actually in hand or deposited in any chartered bank in Canada or elsewhere, and belonging to the Company.

Proviso.

Proviso.

**13.** The directors may, with the consent of the shareholders at a special general meeting duly called for the purpose, create and issue debenture stock in sterling or currency, in such amounts and manner, on such terms as to redemption or payment thereof, and otherwise, and bearing such rate of interest as the directors, from time to time, think proper, but such debenture stock shall be treated and considered as part of the ordinary debenture debt of the Company, and shall be included in estimating the Company's liabilities to the public under section 12 of this Act, and such debenture stock shall rank equally with the ordinary debenture and deposit debt of the Company, and no greater rights or privileges shall be conferred upon holders of debenture stock in respect thereof than are held or enjoyed by depositors or holders of ordinary debentures of the Company.

**14.** The debenture stock aforesaid shall be entered by the Company in a register to be kept for that purpose in the head or other registered office of the Company in Canada or elsewhere, wherein shall be set forth the names and addresses of those from time to time entitled thereto, with the respective amounts of the said stock to which they are respectively entitled, and the register shall be accessible for inspection and perusal at all reasonable times to every debenture holder, mortgagee, bondholder, debenture stockholder and shareholder of the Company without the payment of any fee or charge. Such stock shall be transferable in such amounts and in such manner as the directors determine.

**15.** The holders of the ordinary debentures of the Company may, with the consent of the directors, at any time exchange such debentures for debenture stock.

**16.** The directors, having issued debenture stock, may, from time to time, as they think fit and for the interest of the Company, buy up and cancel the debenture stock or any portion thereof.

**17.** The directors may make a by-law for creating and issuing any part of the capital stock as preference stock, giving it such preference and priority as respects dividends and otherwise over ordinary stock as may be declared by the by-law.

2. The by-law may provide that the holders of shares of such preference stock shall have the right to select a certain stated proportion of the board of directors, or may give the said holders such control over the affairs of the Company as may be considered expedient.

3. No such by-law shall have any force or effect until it has been sanctioned either by the shareholders in writing or by a vote of the shareholders present or represented by proxy at a general

Debenture stock.

Entry in register.

Exchange of debenture stock.

Cancellation of debenture stock.

Preference stock.

Holders may select directors.

By-law to be sanctioned.

Preference stockholders to have rights of shareholders.

Rights of creditors.

Reserve fund.

Proviso.

Business of foreign agencies.

Power of directors.

general meeting of the Company duly called for considering it, such shareholders holding not less than two-thirds of the amount paid up upon the capital stock of the Company.

4. Holders of shares of such preference stock shall be shareholders within the meaning of this Act, and shall in all respects possess the rights and be subject to the liabilities of shareholders within the meaning of this Act, provided however that in respect of dividends and otherwise they shall, as against the ordinary shareholders, be entitled to the preferences and rights given by such by-law.

5. Nothing in this section contained or done in pursuance thereof shall affect or impair the rights of creditors of the Company.

**18.** The directors may, subject to the provisions of this Act, set aside out of the profits of the Company such sum as they think proper as a reserve fund to meet contingencies or for equalizing dividends, or for repairing, improving and maintaining any of the property of the Company, and for such other purposes as the directors shall, in their absolute discretion, think conducive to the interests of the Company, and may invest the several sums so set aside upon such investments as they think fit, and may from time to time deal with and vary such investments and dispose of all or any part thereof for the benefit of the Company, and may divide the reserve fund into such special funds as they think fit, with full power to employ the assets constituting the reserve fund in the business of the Company, and that without being bound to keep the same separate from the other assets: Provided always that the investment of the reserve fund shall be subject to the limitations contained in section 7 of this Act.

**19.** The Company may have agencies in any places in Great Britain, or elsewhere, for the registration and transfer of debenture or other stock and for the transaction of any other business of the Company.

**20.** The business of the Company shall be managed by the directors, who may pay all expenses incurred in getting up and incorporating the Company, and may affix the seal of the Company, and may make or cause to be made for the Company any description of contract which the Company may by law enter into, and may exercise all such powers of the Company as are not by this Act required to be exercised by the Company in general meeting, and among other things may, from time to time, exercise the following powers, the same being specifically referred to for greater certainty but not so as to restrict the generality of the foregoing terms of this section:—

(a.) issue debentures, bonds, deposit receipts and stock, and regulate the allotment of stock, the making of calls thereon, the payment thereof, the issue and registration of certificates

of stock, the forfeiture of stock for non-payment, the disposal of forfeited stock and of the proceeds thereof, and the transfer of stock;

(b.) declare and pay dividends;

(c.) determine the number of directors, their term of service, the amount of their stock qualification and their remuneration, if any;

(d.) delegate any of their powers to committees consisting of such member or members of their body as they think fit, and any committee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on them by the directors;

(e.) appoint and remove all agents, officers and servants of the Company, and provide for and determine their functions and duties, the security to be given by them to the Company and their remuneration;

(f.) determine the time and place for the holding of the annual or any other meeting of the Company, the calling of meetings regular and special of the board of directors and of the Company, the quorum at meetings of the directors and of the Company, the requirements as to votes and proxies and the procedure in all things at such meetings;

(g.) provide for the imposition and recovery of all penalties and forfeitures admitting of regulation by by-law;

(h.) conduct in all other particulars the affairs of the Company;

(i.) make by-laws for the regulation of the business of the Company, its officers and servants, or the members of the Company, and repeal, amend or re-enact the same.

**21.** The Company shall not be bound to see to the execution of any trust, whether express, implied or constructive, to which any share or shares of its stock, or debentures, or debenture stock, or any deposit of any moneys payable by or in the hands of the Company may be subject, and the receipt of the party or parties in whose name such share or shares, debentures, debenture stock, deposit or moneys stand in the books of the Company shall from time to time be sufficient discharge to the Company for any payment made in respect of such share or shares, debentures, debenture stock, deposit or moneys, notwithstanding any trust to which the same may then be subject, and whether or not the Company has had notice of such trust, and the Company shall not be bound to see to the application of the money paid upon such receipt.

Company not  
bound to see  
to execution  
of trusts.

**22.** No parcel of land or interest therein, at any time acquired by the Company and not required for its actual use and occupation or not held by way of security, shall be held by the Company or by any trustee on its behalf for a longer period than ten years after the acquisition thereof, but such land or interest therein shall be absolutely sold and disposed of so that the Company shall no longer retain any interest

Term for  
which land  
may be held.

Forfeiture. therein unless by way of security: Provided that any such parcel of land or any interest therein not within the exceptions hereinbefore mentioned which has been held by the Company for a longer period than ten years without being disposed of, shall be forfeited to the Crown: Provided also, that the Crown may extend the said period, from time to time, but so that it shall not exceed in the whole twelve years: Provided further that no such forfeiture shall take effect or be enforced until the expiration of at least six months after notice in writing to the Company of the intention of the Crown to claim such forfeiture; and the Company shall, when required, give the Minister of Finance a full and correct statement of all lands at the date of such statement held by the Company or in trust for the Company, and subject to these provisoies.

R.S.C., c. 118. **23.** Sections 13, 18, 38, 39 and 41 of *The Companies Clauses Act* shall not apply to the Company.

1899, c. 41. **24.** Sections 42, 43, 44 and 45 of *The Loan Companies Act Canada*, 1899, shall apply to the Company.

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## 2 EDWARD VII.

### CHAP. 61.

#### An Act respecting the Edmonton and Slave Lake Railway Company.

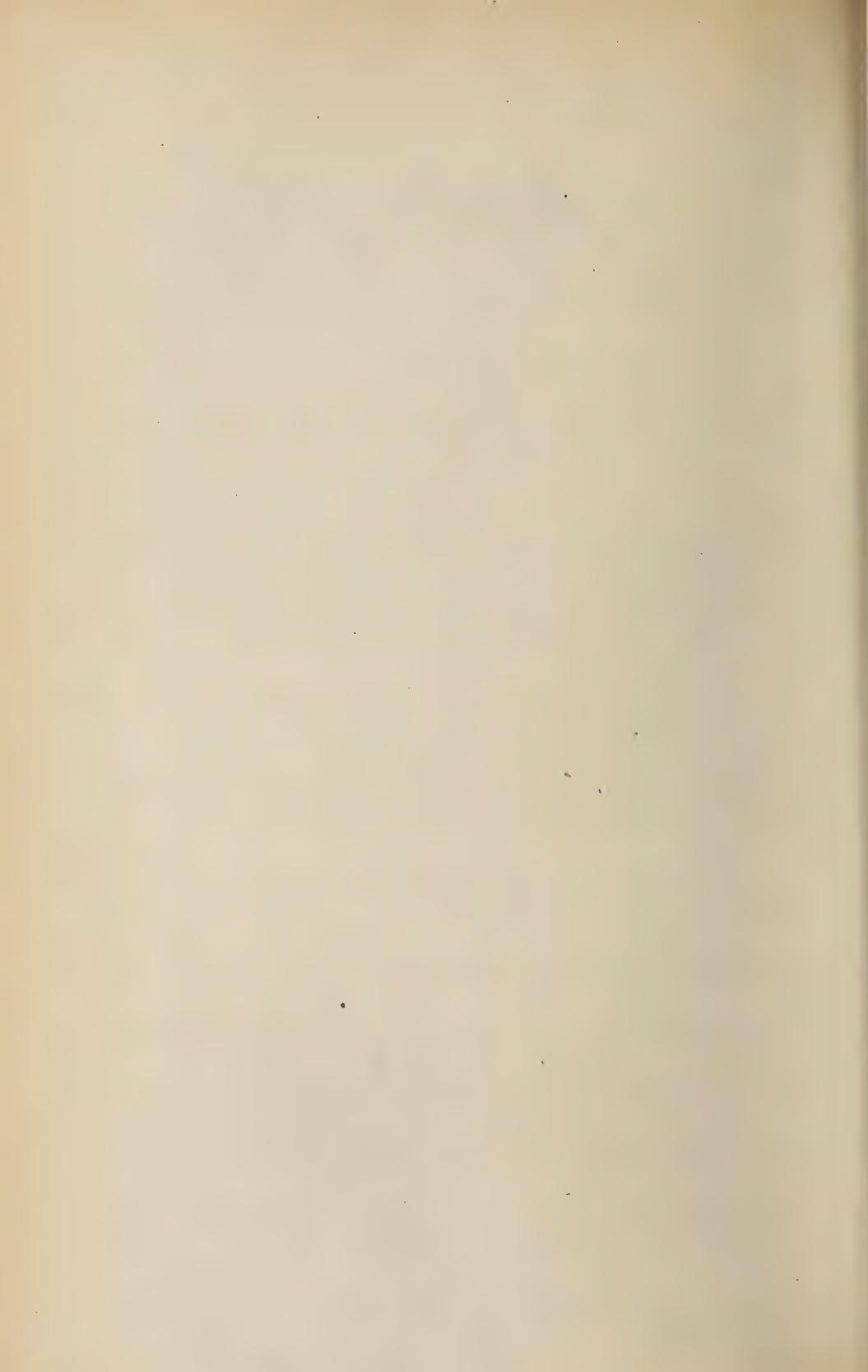
[Assented to 15th May, 1902.]

WHEREAS the Edmonton and Slave Lake Railway Company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. Chapter 66 of the statutes of 1899, incorporating the Edmonton and Slave Lake Railway Company, is revived and declared to be in force, and the time limited for commencing the railway which the said Company is by the said Act authorized to construct, and for the expenditure of fifteen per cent on the amount of the capital stock as provided by section 14 of the said Act, is extended for a period of two years from the first day of November, one thousand nine hundred and two; and if the construction of the said railway is not then commenced, and if such expenditure is not so made, or if the railway is not finished and put in operation within five years from the said first day of November, then the powers of construction granted to the said Company shall cease and be null and void as respects so much of the railway as then remains uncompleted.

1899, c. 66  
revived.  
Time for  
construction  
extended.

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## 2 EDWARD VII.

### CHAP. 62.

#### An Act to incorporate the Essex Terminal Railway Company.

*[Assented to 15th May, 1902.]*

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. John Allen Auld and Franklin Arthur Hough, both of the town of Amherstburg, Ernest Girardot, Ralph Loveland and John Gowie Watson, all of the town of Sandwich, and Sidney Arthur King, of the city of Windsor, all in the county of Essex, together with such persons as become shareholders in the company, are incorporated under the name of "The Essex Terminal Railway Company," hereinafter called "the Company." Incorporation. Corporate name.
2. The undertaking of the Company is declared to be a work for the general advantage of Canada. Declaratory.
3. The persons named in section 1 of this Act are constituted provisional directors of the Company. Provisional directors.
4. The capital stock of the Company shall be one hundred thousand dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed. Capital stock.
5. The head office of the Company shall be in the town of Amherstburg, in the county of Essex. Head office.
6. The annual meeting of the shareholders shall be held on the first Monday in September in each year. Annual meeting.
7. At such meeting the subscribers for the capital stock assembled who have paid all calls due on their shares, shall choose Election of directors.

choose not less than five nor more than seven persons to be directors of the Company, one or more of whom may be paid directors.

Line of railway described.

**8.** The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one-half inches, from a point in or near the town of Walkerville, through the townships of Sandwich East and Sandwich West, and the city of Windsor, to some point in or near the town of Sandwich, and through the town of Sandwich, the townships of Sandwich West and Anderdon to a point in or near the town of Amherstburg.

Bond issue limited.

**9.** The Company may issue bonds, debentures or other securities to the extent of twenty-five thousand dollars per mile of the railway and branches, and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Agreements with other companies.

**10.** The Company may enter into an agreement with the Grand Trunk Railway Company of Canada, the Lake Erie and Detroit River Railway Company, the Canadian Pacific Railway Company, the Michigan Central Railway Company, the Flint and Père Marquette Railway Company, or the Canada Southern Railway Company for conveying or leasing to such company, the railway of the Company in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Approval of shareholders and Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties through which the railway of the Company runs, and in which a newspaper is published.

Agreement to be filed with Secretary of State.

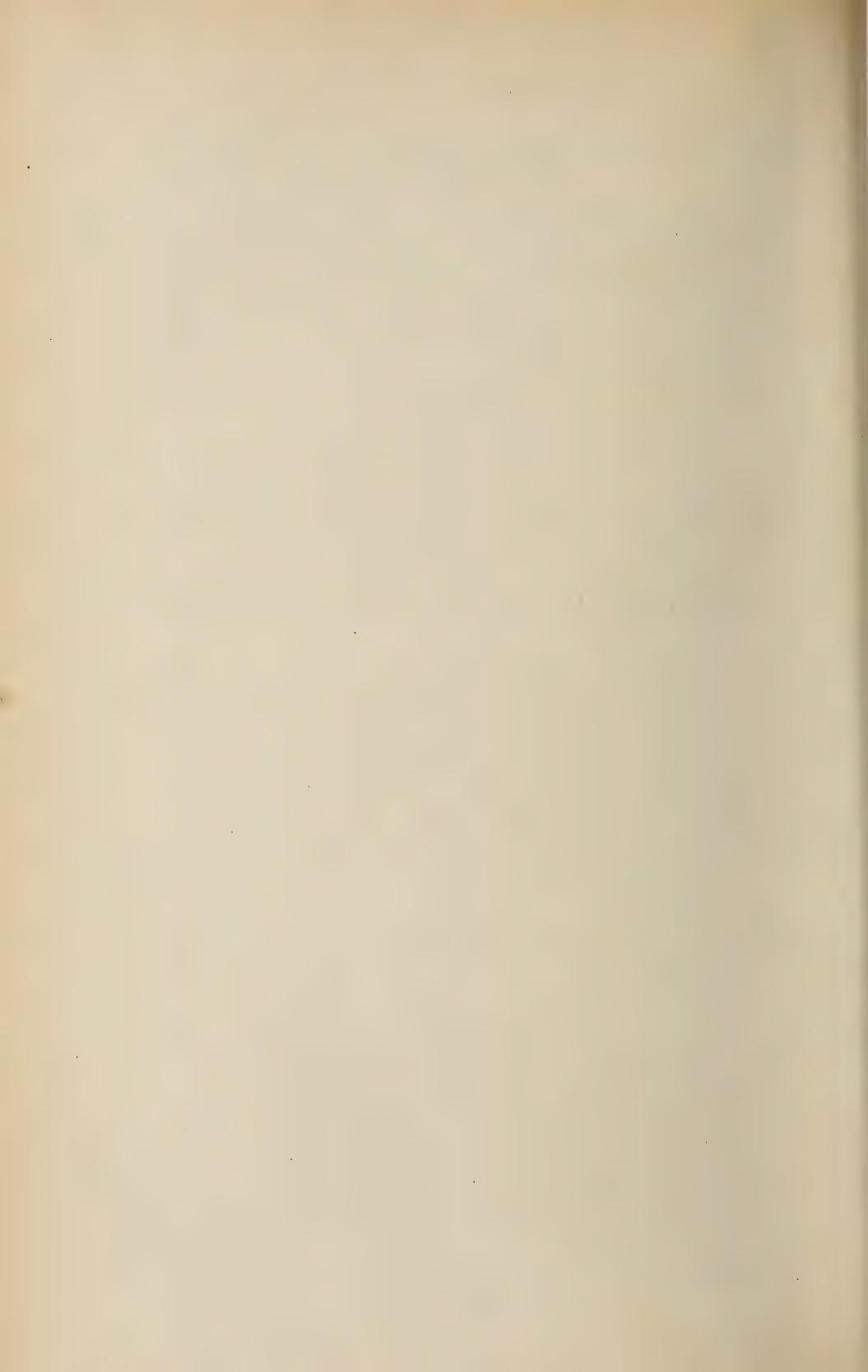
3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be *prima facie* evidence of the requirements of this Act having been complied with.

**11.** The Company may, in connection with its business and Electricity, for the purposes of its railway undertaking, manufacture or otherwise acquire and use electricity for motor or other purposes, and dispose of surplus electricity.

**12.** If the construction of the railway is not commenced and fifteen per cent of the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not finished and put in operation within five years after the passing of this Act, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

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## 2 EDWARD VII.

### CHAP. 63.

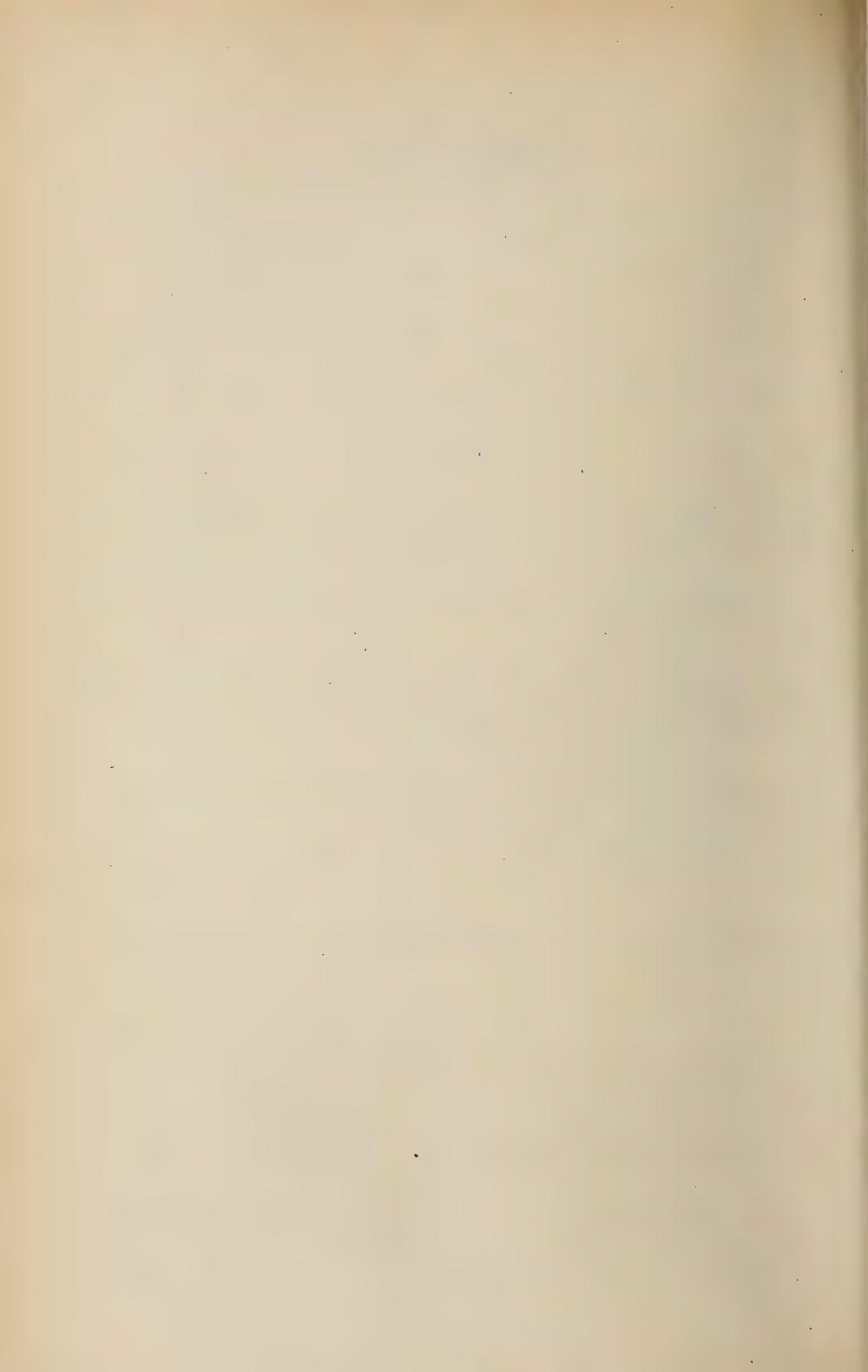
#### An Act respecting the Hudson's Bay and North-west Railways Company.

[Assented to 15th May, 1902.]

WHEREAS the Hudson's Bay and North-west Railways Preamble. Company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. If the construction of the railway of the Hudson's Bay and North-west Railways Company is not commenced and fifteen per cent on the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not finished and put in operation within five years after the passing of this Act, the powers of construction granted by the Acts relating to the said company or by *The Railway Act* shall cease and be null and void as respects so much of the railway as then remains uncompleted. Time for construction limited.

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## 2 EDWARD VII.

### CHAP. 64.

#### An Act to incorporate the Indian River Railway Company.

[Assented to 15th May, 1902.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

**1.** Michael Patrick Davis, Robert J. Devlin, William P. Davis and John W. Thompson, all of the city of Ottawa, in the province of Ontario, and H. G. Harrison, of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of the "Indian River Railway Company," hereinafter called "the Company." Incorporation. Corporate name.

**2.** The undertaking of the Company is declared to be a work for the general advantage of Canada. Declaratory.

**3.** The persons named in section 1 of this Act are constituted provisional directors of the Company. Provisional directors.

**4.** The capital stock of the Company shall be two hundred thousand dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed. Capital stock.

**5.** The head office of the Company shall be in the city of Quebec, or in such other place in Canada as the Company determines by by-law. Head office.

**6.** The annual meeting of the shareholders shall be held on the first Wednesday in September in each year. Annual meeting.

**7.** At such meeting the shareholders for the capital stock assembled who have paid all calls due on their shares shall choose five persons to be directors of the Company, one or more of whom may be paid directors. Election of directors.

Line of  
railway  
described.

**8.** The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point of junction with the existing railway lines at or near the north end of Lake Megantic, in the counties of Beauce and Compton, in the province of Quebec, thence southerly along the said lake through the said counties to a point on the International boundary line at or near Rivière Morte.

Bond issue  
limited.

**9.** The Company may issue bonds, debentures or other securities to the extent of twenty thousand dollars per mile of the railway, and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Time for  
construction  
limited.

**10.** If the construction of the railway is not commenced and fifteen per cent of the amount of the capital stock is not expended thereon within two years from the passing of this Act, or if the railway is not finished and put in operation within five years from the passing of this Act, the powers conferred upon the Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

Agreement  
with another  
company.

**11.** The Company may enter into an agreement with the Canadian Pacific Railway Company, the Rumford Falls and Rangeley Lakes Railway Company, the Portland and Rumford Falls Railway Company, or the Quebec Central Railway Company, for conveying or leasing to any such company the railway of the Company, in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy,—and that such agreement has also received the sanction of the Governor in Council.

Approval of  
shareholders  
and Governor  
in Council.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties (or electoral districts) through which the railway of the Company runs, and in which a newspaper is published.

Notice of  
application  
for sanction.

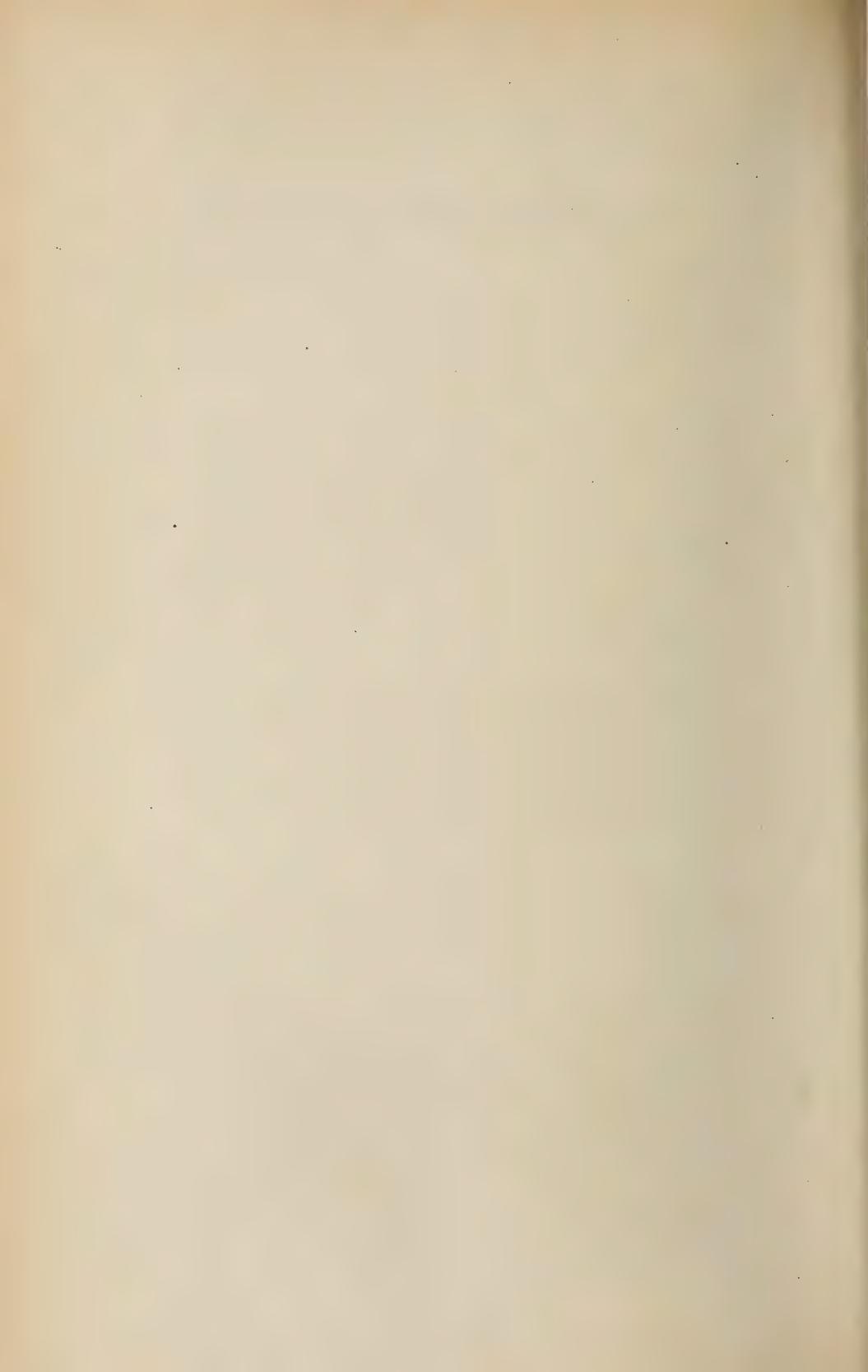
3. A duplicate of the agreement referred to in subsection 1 of this section, shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*,

Agreement to  
be filed with  
Secretary of  
State.

*Gazette*, and the production of *The Canada Gazette* containing such notice shall be *prima facie* evidence of the requirements of this Act having been complied with.

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## 2 EDWARD VII.

### CHAP. 65.

An Act respecting the James Bay Railway Company.

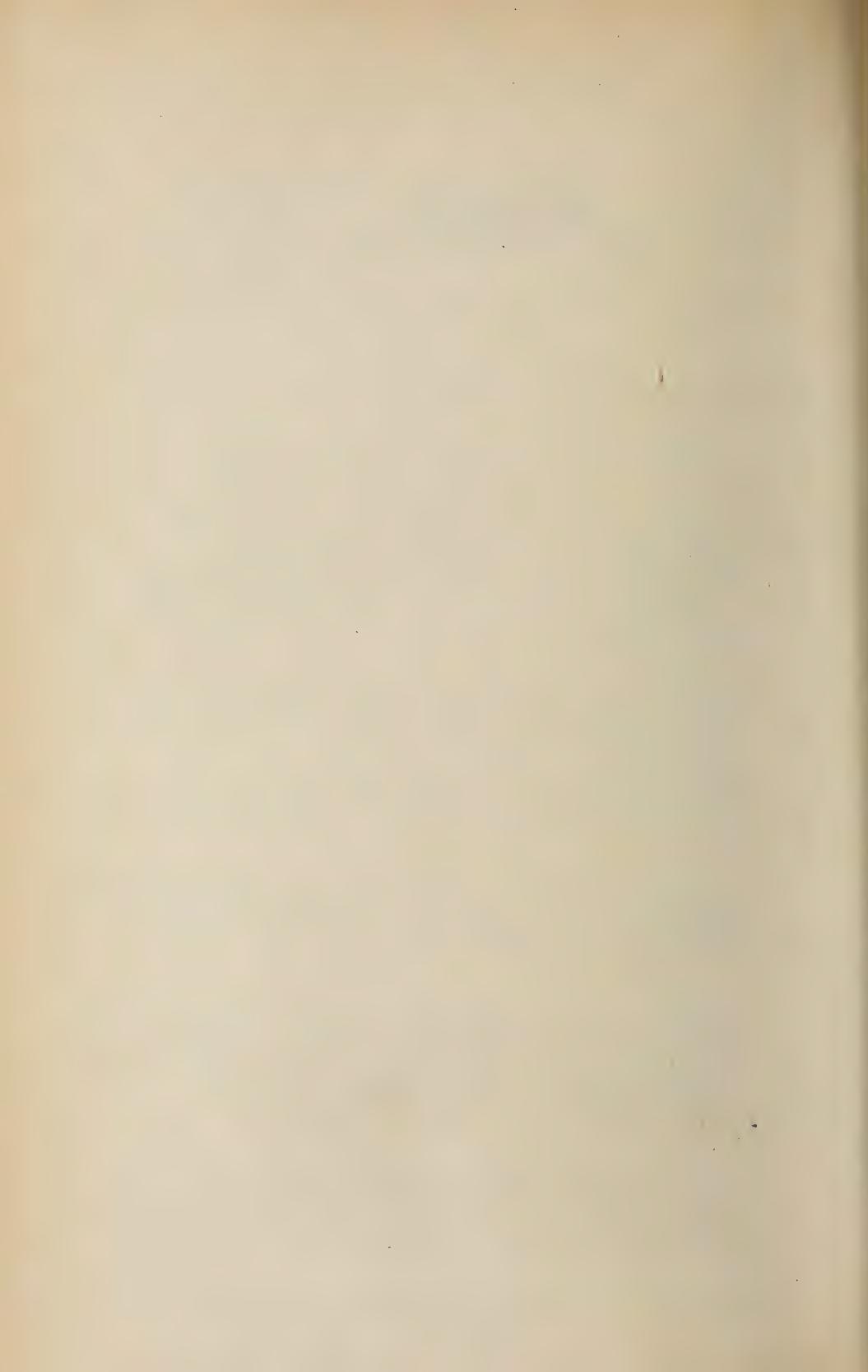
[Assented to 15th May, 1902.]

WHEREAS the James Bay Railway Company has, by its Preamble. petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The James Bay Railway Company may construct, complete and put in operation the lines of railway authorized by its Act of incorporation, and amendments thereto, within five years from the passing of this Act, otherwise the powers granted for such construction shall cease and be null and void with respect to so much of the said lines as then remains uncompleted.

**2.** The said Company may lay out, construct and operate a line of railway from a point on its authorized main line at or near French River to a point on Batchewana Bay, Lake Superior.

**3.** Unless the railway authorized by this Act is commenced within two years and finished and put in operation within five years from the passing of this Act the powers granted for construction thereof shall cease and be null and void with respect to so much of the said line as then remains uncompleted.





## 2 EDWARD VII.

### CHAP. 66.

#### An Act respecting the Klondike Mines Railway Company.

[Assented to 15th May, 1902.]

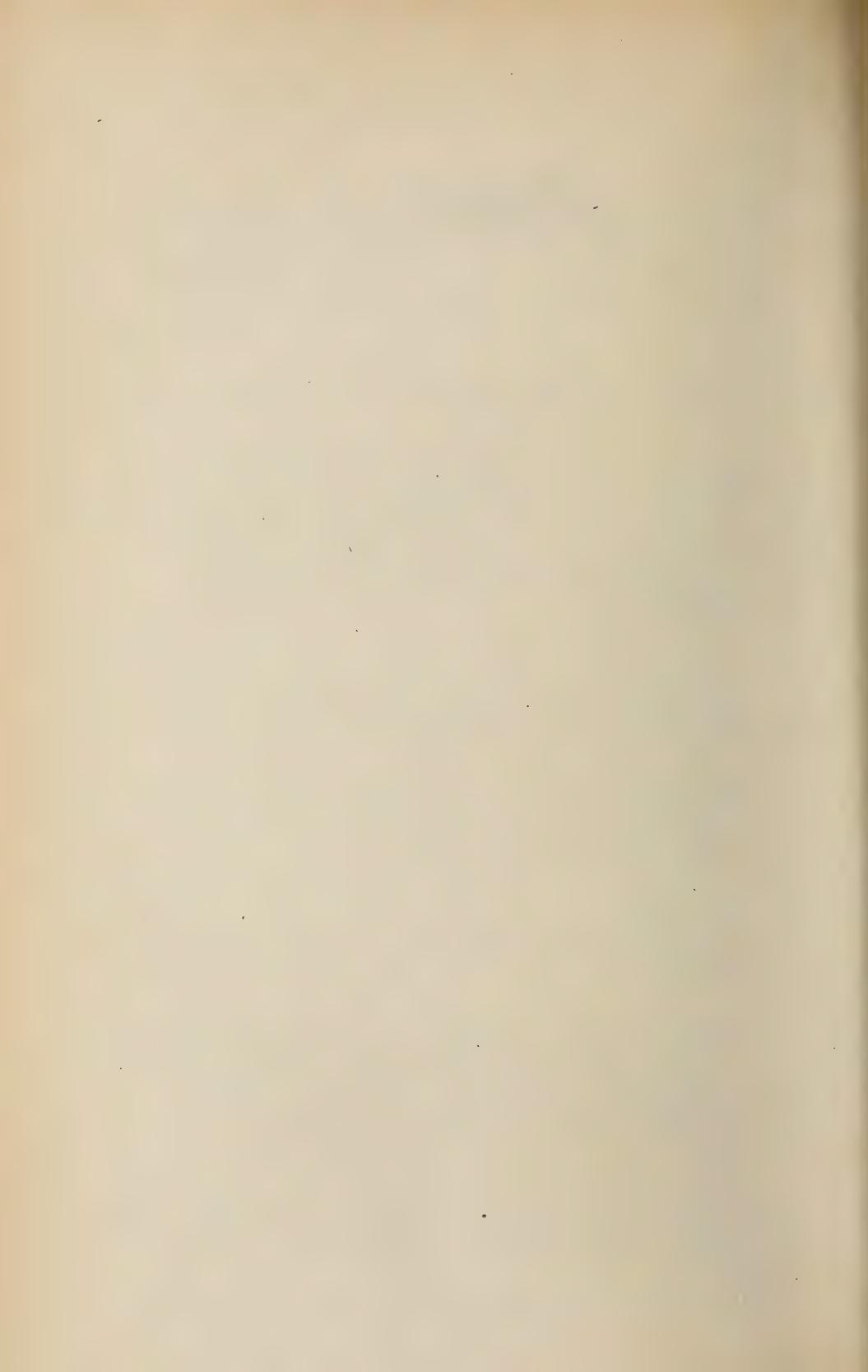
WHEREAS the Klondike Mines Railway Company has, by Preamble. its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The Klondike Mines Railway Company may lay out, construct and operate an extension of its railway from a point at or near Grand Forks to the Stewart River, and thence to a point at or near the source of the Stewart River and to a point at or near the entrance of the said river into the Yukon River. Extension of railway. 1899, c. 72, s. 7.

**2.** The powers, privileges and conditions conferred and imposed by the Acts relating to the Company shall apply to the said extension; and the issue of bonds, to the extent of two million five hundred thousand dollars, and the mortgage securing the same, made and created under the authority of a resolution passed by the shareholders of the Company, at a general meeting for that purpose, held on the nineteenth day of April, one thousand nine hundred and two, are hereby confirmed and are validated as on and from the said date. Powers, etc., to apply to branch lines. Bond issue and mortgage confirmed.

**3.** Unless the extension authorized by this Act is commenced within two years and finished and put in operation within five years from the passing of this Act, the powers granted for the construction thereof shall cease and be null and void with respect to so much of the said extension as then remains uncompleted. Time for construction limited.

**4.** Section 3 of chapter 72 of the statutes of 1899 is amended by striking out the words "one million" in line one thereof and substituting therefor the words "two million five hundred thousand." Section 3 amended.





## 2 EDWARD VII.

### CHAP. 67.

#### An Act to incorporate the Knapp Tubular Steamship Company.

*[Assented to 15th May, 1902.]*

WHEREAS a petition has been presented praying that it be *Preamble.* enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Honourable George Eulas Foster, of the city of *Incorporation.* Toronto; and Frederick Augustus Knapp, of the town of Prescott, in the province of Ontario; and Frank Buller, Matthew Hutchinson, William Haywood Stewart, and Matthew John Baker, all of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of "The Knapp *Corporate name.* Tubular Steamship Company," hereinafter called "the Company."

2. The persons named in section 1 of this Act are constituted provisional directors of the Company, a majority of whom shall be a quorum, and the said provisional directors shall hold office until the first election of directors under this Act, and they may forthwith open stock books and procure *Provisional directors.* subscriptions of stock for the undertaking and allot the stock, and receive payments on account of the stock subscribed and allotted, and shall deposit in any chartered bank of Canada moneys received by them on account of the stock subscribed, which moneys shall not be withdrawn, except for the purpose of the undertaking, or upon the dissolution of the Company for any cause whatsoever.

2. The money so raised shall be applied, in the first place, in the payment of all fees, expenses and disbursements for procuring the passing of this Act, and the remainder of such money shall be applied in carrying out the purposes of this Act. *Application of moneys.*

Capital stock.

**3.** The capital stock of the Company shall be three million dollars, divided into shares of one hundred dollars each.

Election of directors.

**4.** As soon as twenty per cent of the capital stock has been subscribed and ten per cent thereof paid into some chartered bank in Canada, the provisional directors, or the majority of them, shall call a general meeting of the shareholders to be held at the city of Montreal, or at such other place in Canada as the provisional directors calling such meeting determine, for the purpose of electing the first directors of the Company and of transacting any other business that may be done at a shareholders' meeting, and notice in writing, signed by or on behalf of the provisional directors or the majority of them calling such meeting, of the date and place of holding the same, mailed, postage prepaid to the post office address of each shareholder not less than ten days previous to the calling of such meeting shall be sufficient notice of such meeting.

Qualification.

**5.** No person shall be elected a director unless he is a shareholder holding at least twenty shares of the stock of the Company and has paid all calls due thereon.

Head office.

**6.** The head office of the Company shall be in the city of Montreal, in the province of Quebec, or at such other place in Canada as the Company from time to time determines by by-law, but the directors may establish offices in other places in Canada or elsewhere.

Annual meeting.

**7.** The annual general meeting of the shareholders shall be held on the first Tuesday in February in each year.

Election of directors.

**8.** At such annual general meeting the subscribers for the capital stock who have paid all calls due on their shares shall choose five persons to be directors of the Company, a majority of whom shall be a quorum, and one or more of whom may be paid directors.

Business of Company.

**9.** The Company may build, own and operate ships of the shape known as the "Knapp tubular steamship," and may purchase and obtain rights in the invention known as the "Knapp tubular steamship" and may sell the same or any part or interest therein, and may acquire by purchase, lease or otherwise, and own and operate steam and other boats and vessels and therewith carry on the business of conveying and carrying goods, wares and merchandise, freight and cargoes of all descriptions as well as passengers, and may mortgage or dispose of the said boats and vessels.

Wharfs, buildings, etc.

**10.** The Company may build, acquire, use and dispose of wharfs, docks, warehouses, elevators and other buildings for the purpose of its said boats and vessels and of its transportation

tion business, and may acquire and use real property for the Real purpose of the Company and dispose thereof.

**11.** The directors may, in addition to the ordinary capital stock, issue preferential or preferred stock to an amount not exceeding one million dollars; but no such preferential or preferred stock shall be issued until the authority of the shareholders of the Company has been obtained for that purpose at a special general meeting of the shareholders called for that purpose, at which meeting shareholders representing at least two-thirds in value of the subscribed stock of the Company, and who have paid all calls due on their shares, are present or represented by proxy; and the holders of such stock shall have all the rights and privileges of holders of the ordinary stock, and the dividends on such stock shall be preferential as between the holders thereof and the holders of ordinary shares at a rate not exceeding eight per cent per annum, and shall be cumulative.

**12.** The directors may make and issue as paid up stock shares in the Company whether subscribed for or not, and may allot and hand over such stock in payment for the rights in the invention known as the "Knapp tubular steamship," steamboats and other vessels, plant of any kind, and also for the service of contractors and engineers; and such issue and allotment of stock shall be binding on the Company and such stock shall not be assessable for calls.

**13.** The Company may carry on the business of wharfingers and warehousemen, and may charge on all property placed with it or in its custody such fair remuneration as is fixed upon by the directors for storage, warehousing, wharfage, dockage, cooperage, grazing or any other care or labour in and about such property on the part of the Company, over and above the regular freight and primage upon the said property which has been carried or may be carried by it.

**14.** The directors may, under the authority of a resolution of the shareholders at any meeting called for such purpose, at which meeting shareholders representing at least two-thirds in value of the subscribed stock of the Company, and who have paid all calls due upon their stock, are present or represented by proxy, borrow money on behalf of the Company at such rates of interest and upon such terms as they may, under such resolution determine; and to effect such loan the directors may authorize the managing director of the Company or the president or any two of the directors, to make and execute mortgages, issue, grant and consent to bottomry or other bonds or other instruments which are necessary, and to that end charge such property of the Company as they are by such resolution authorized to charge, by way of pledge, mortgage or hypothec, and may assign, transfer or deposit any of

Limitation.

the documents, title deeds, muniments, securities or property of the Company, and either with or without power of sale, or other special provisions, as the directors under the authority conferred at such meeting deem expedient; provided that the aggregate of the sum or sums borrowed on bonds under the authority of this section issued shall not, at any time, exceed half the amount of the paid up capital stock of the Company; and no lender on or purchaser of bonds so issued by the Company shall be bound to inquire into the occasion for the loan, or into the validity of any resolution authorizing the same or the purpose for which such loan is wanted.

R.S.C., c. 118.      **15.** Sections 18 and 39 of *The Companies Clauses Act* shall not apply to the Company.

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## 2 EDWARD VII.

### CHAP. 68.

#### An Act respecting the Lake Champlain and St. Lawrence Ship Canal Company.

[Assented to 15th May, 1902.]

WHEREAS the Lake Champlain and St. Lawrence Ship Preamble. Canal Company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Section 6 of chapter 107 of the statutes of 1898, incorporating the Lake Champlain and St. Lawrence Ship Canal 1898, c. 107, s. 6 repealed. Company, is repealed, and in lieu thereof it is enacted that the Honourable William Owens, the Honourable Trefflé Berthiaume, Raymond Préfontaine, Robert Bickerdike, Provisional directors. S. H. Ewing, A. Haig Sims, Thos. Craig and Albert J. de B. Corriveau, of the city of Montreal, and Samuel T. Willett, of Chambly Canton, in the province of Quebec, and Wm. Dale Harris, of Ottawa, shall be the provisional directors of the Company.

**2.** Section 9 of the said Act is amended by adding thereto S. 9 amended. the following paragraph:—

“(k.) along the route of the canal, acquire, develop and use water powers, and erect, maintain and operate works and appurtenances for the use and transmission of power.” Waterpowers.

**3.** Section 26 of the said Act is repealed. S. 26 repealed.

**4.** The directors, whenever authorized by by-law for that purpose, approved by the votes of holders of at least two-thirds in value of the subscribed stock of the Company, present or represented by proxy at a special general meeting called for considering such by-law, may, as the shareholders deem necessary, issue bonds or debentures in sums of one hundred dollars each or for such sums as are determined by the by-law, to an amount not exceeding in the whole double the amount of its Issue of bonds. paid-up

paid-up capital stock, at such rate of interest, and payable at such time and places, and secured in such manner, by mortgage or otherwise, upon the whole or any portion of the property or undertaking of the Company as may be prescribed in such by-law, or decided upon by the directors upon the authority thereof, and the Company may make such provision respecting the redemption of such securities as it deems proper.

S. 38 repealed.

**5.** Section 38 of the said Act is repealed.

Time for construction extended.

**6.** If the construction of the canal authorized by the said Act of incorporation is not commenced, and fifty thousand dollars are not expended thereon, within three years from the passing of this Act, or if the said canal is not completed within seven years from the passing of this Act, then the powers of constructing the said canal shall cease and be null and void with respect to so much thereof as then remains uncompleted.

S. 41 repealed.

**7.** Section 41 of the said Act is repealed.

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## 2 EDWARD VII.

### CHAP. 69.

#### An Act respecting the Lake Erie and Detroit River Railway Company.

[Assented to 15th May, 1902.]

WHEREAS the Lake Erie and Detroit River Railway Preamble. Company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The agreement of amalgamation dated the twenty-third day of May, one thousand nine hundred and one, made between the Lake Erie and Detroit River Railway Company and the Erie and Huron Railway Company, approved by order of the Governor in Council dated the twentieth day of June, one thousand nine hundred and one, which agreement is set forth in schedule A to this Act, and the amalgamation thereby made, are confirmed and declared to be valid and binding on the parties thereto. Agreement in schedule A confirmed.
2. The agreement dated the twelfth day of August, 1901, between the Lake Erie and Detroit River Railway Company, of the one part, and the corporation of the town of Blenheim, of the other part, which agreement is set forth in schedule B to this Act, and the provisions therein contained, are confirmed and declared to be valid and binding on the parties thereto. Agreement in schedule B confirmed.
3. The Lake Erie and Detroit River Railway Company, As to work-shops in Chatham. hereinafter called the "Amalgamated Company," in order to carry out the spirit and intent of the agreement dated the third day of November, 1882, between the said Erie and Huron Railway Company and the corporation of the town (now city) of Chatham, under which the said town gave to the said Company an additional bonus of \$30,000, shall (unless the corporation of the said city shall in its own option otherwise agree in writing in regard thereto) erect and establish all

workshops and repairing houses and sheds necessary for the purposes of the whole road formerly of the Erie and Huron Railway Company but now of the Amalgamated Company from Rondeau piers to Sarnia, so that all works and repairs connected with said road from Rondeau piers to Sarnia (both inclusive) and a due proportion of the rolling stock or other property of the Amalgamated Company or for the repairs of which the Amalgamated Company is liable shall be done in Chatham to the same extent as if that road (from Rondeau to Sarnia) and such due proportion of the rolling stock or other property of the Amalgamated Company were run and owned by the Erie and Huron Railway Company under the terms of the said agreement; and should any dispute arise at any time as to whether the Amalgamated Company is carrying out the true intent and meaning of its obligations under this section, such dispute shall be settled and determined by the Railway Committee of the Privy Council.

Time for construction extended.

1900, c. 62;  
1896 (1st Sess.)  
23.

4. The time limited for the commencement and completion and putting in operation of the railway authorized by section 1 of chapter 23 of the statutes of 1896 (First Session), are respectively extended for two years and five years from the passing of this Act; otherwise the powers granted by Parliament for the construction of such railway shall cease and be null and void as respects so much of the railway as then remains uncompleted.

#### SCHEDULE A.

This indenture made the twenty-third day of May, A.D., 1901, between the Lake Erie and Detroit River Railway Company, hereinafter called the "Lake Erie Company," of the first part, and the Erie and Huron Railway Company, hereinafter called the "Erie and Huron Company," of the second part.

Whereas the parties hereto are companies under the legislative authority of the Parliament of Canada;

And whereas by an Act passed by the Parliament of Canada, being chapter 67 of the statutes of Canada for the year 1899, entitled: "An Act to authorize the amalgamation of the Erie and Huron Railway Company and the Lake Erie and Detroit River Railway Company," it is, among other things, enacted that the parties hereto may enter into an agreement for amalgamation with each other; that the name of the company constituted by such amalgamation shall be "The Lake Erie and Detroit River Railway Company;" that the capital stock of such company shall be the sum of the capital stocks of the two companies, divided into shares of \$100.00 each, subject to the increase of capital stock under *The Railway Act*; and that the agreement for amalgamation may prescribe the other terms and conditions of the

amalgamation and may provide for the mode of carrying the same into effect, the place of the head office, the number of the board of directors, the names of the first directors and their term of office, the manner of converting the capital stock of each company into that of the amalgamated company, and such other or additional details as may be necessary or convenient to perfect the new organization and the after management and working thereof ;

And whereas by the said Act it is enacted that the said agreement shall be submitted to the shareholders of each company party thereto at an annual general meeting, or at a special general meeting called for the purpose of taking the same into consideration, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that the agreement which is accepted and approved by resolution passed by two-thirds of the votes of the shareholders present or represented by proxy at such meeting may be executed under the corporate seals of the said companies, and an application may be made to the Governor in Council for an order approving of the same ;

And whereas the capital stock of the Lake Erie Company is the sum of \$1,250,000.00, being 12,500 shares of \$100.00 each ; and the capital stock of the Erie and Huron Company is the sum of \$150,000.00, being 1,500 shares of \$100 each ;

And whereas the said companies have agreed to amalgamate upon the terms of this agreement and of the said Act, and this agreement has been submitted to the shareholders of the Lake Erie Company at an annual general meeting thereof, and to the shareholders of the Erie and Huron Company at a special general meeting called for the purpose of taking the same into consideration, at which meetings, respectively, shareholders representing at least two-thirds in value of the stock were present or represented by proxy, and this agreement was duly accepted and approved by resolution passed by two-thirds of the votes of the shareholders present or represented by proxy at such meeting ;

Now therefore this indenture witnesseth as follows,—

1. The Lake Erie Company and the Erie and Huron Company hereby agree to amalgamate, and do hereby amalgamate and form one company, upon the terms and conditions herein-after set out.

2. The name of the amalgamated company shall be "The Lake Erie and Detroit River Railway Company."

3. The amount of the capital stock of the amalgamated company shall be \$1,400,000.00, divided into 14,000 shares of \$100.00 each.

4. The head office of the amalgamated company shall be at the town of Walkerville, province of Ontario.

5. The number of the board of directors shall be five, with power to increase the same from time to time by by-law to any number not exceeding ten. The first directors shall be S. A.

King, William Robins, William Aikman, jr., Stephen A. Griggs and Edward Radford, and they shall hold office until the first annual meeting of the company for the election of directors, or until their successors are appointed.

6. Each shareholder in the Lake Erie Company shall be entitled to receive, and there shall be issued to him by the amalgamated company, one share in the capital stock of the amalgamated company, issued as fully paid up and free from calls and other liability, for every one hundred dollars paid up upon the shares held by him in the capital of the Lake Erie Company.

7. Each shareholder in the Erie and Huron Company shall be entitled to receive, and there shall be issued to him by the amalgamated company, one share in the capital stock of the amalgamated company, issued as fully paid up and free from calls and other liability, for every one hundred dollars paid up upon the shares held by him in the capital of the Erie and Huron Company.

8. The by-laws, rules and regulations of the Lake Erie Company shall, as far as applicable, be the by-laws, rules and regulations of the amalgamated company until repealed, amended, altered or added to by by-laws, rules or regulations of the amalgamated company.

9. An application shall be made to the Governor General in Council for an order approving of this agreement, and upon such order being made this agreement shall take effect.

In witness whereof the parties hereto have caused their respective seals to be affixed hereto and this agreement to be countersigned by their proper officers in that behalf.

[Seal of the L.E. & D.R. Ry. Co.] WM. ROBINS,  
Vice-President.

EDWARD RADFORD,  
Secretary.

[Seal of the E. & H. Ry. Co.] WM. ROBINS,  
EDWARD RADFORD,  
Secretary.

## SCHEDULE B.

This agreement made in duplicate the twelfth day of August, A.D., 1901, between the Lake Erie and Detroit River Railway Company, a company duly formed under the Act of Parliament of Canada, 62-63 Victoria, chapter 67, by the amalgamation of the Lake Erie and Detroit River Railway Company and the Erie and Huron Railway Company, hereinafter called the Company, of the one part, and the corporation of the town of Blenheim, hereinafter called the Town, of the other part.

Witnesseth that for good and valuable considerations, the Company for themselves and their successors, covenant, promise

mise and agree with the Town and their successors as follows, that is to say :—

1. That all regular passenger trains of the Company coming from the north or from the east or from the west shall, before passing Blenheim, run to and stop at the station at Blenheim, now known as the Lake Erie and Detroit River Railway station ; Provided, however, that this does not include excursion trains to and from the Erie Eau (Rondeau), which excursion trains shall stop at a station near where the Erie and Huron Railway station at Blenheim was formerly located.

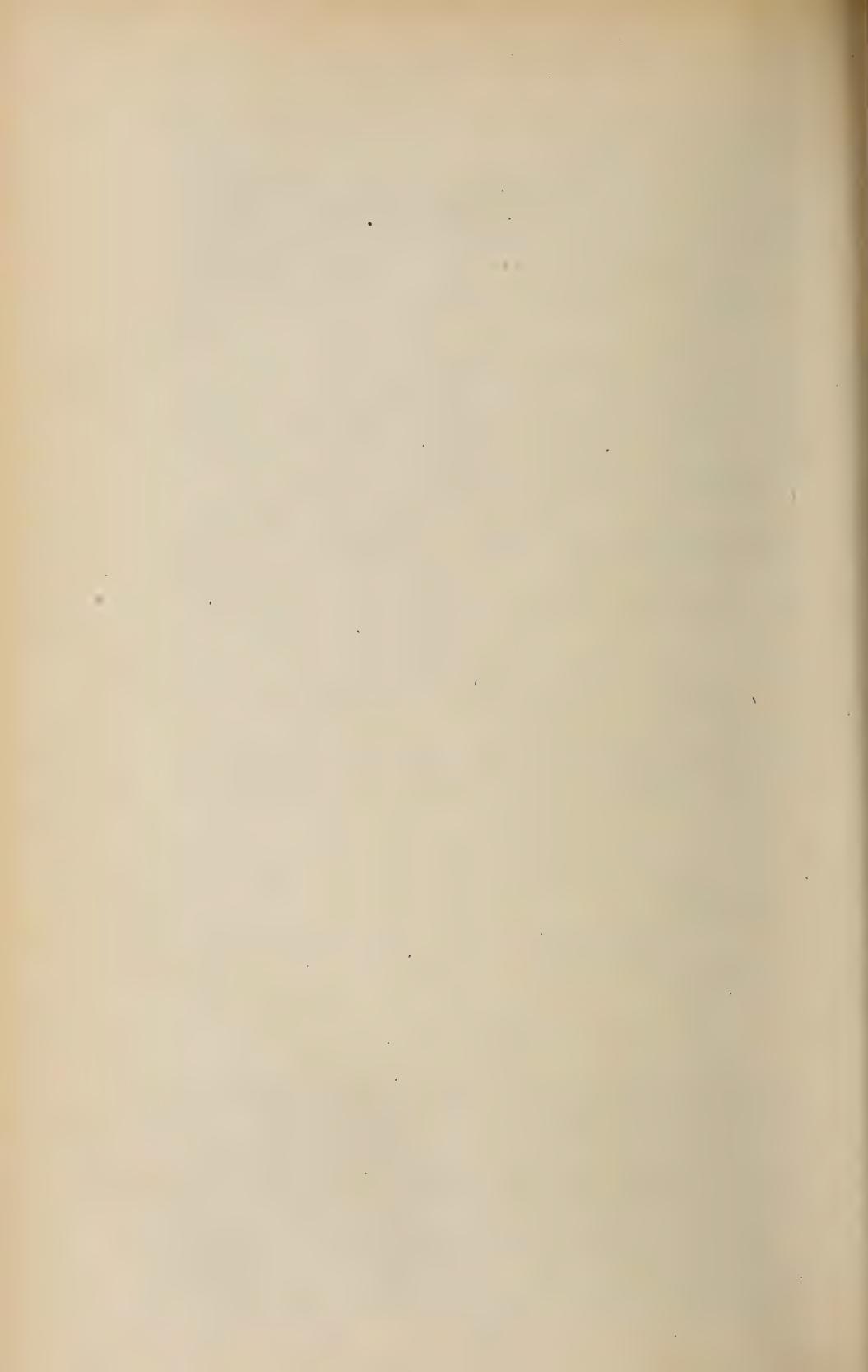
2. That the rates for passenger and freight from Blenheim to any station on the Company's line, including the London and Port Stanley line, so long as it is leased or controlled by the Company, and to Blenheim from any station on the Company's line, including the London and Port Stanley line as aforesaid, shall never exceed the rates to and from the same points existing on the 17th day of May, 1899.

In witness whereof the Company have caused their corporate seal to be hereto affixed and these presents to be countersigned by their President and Secretary.

S. A. KING,  
President.  
EDWARD RADFORD,  
Secretary.



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most Excellent Majesty.





## 2 EDWARD VII.

### CHAP. 70.

#### An Act to incorporate the Manitoba and Keewatin Railway Company.

[Assented to 15th May, 1902.]

WHEREAS a petition has been presented praying that it Preamble. be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. David W. Bole, Frederick W. Stobart, H. H. Chown, Incorporation. Robert J. Whitla, R. T. Riley, George D. Wood, D. C. Cameron and H. M. Howell, all of the city of Winnipeg, in the province of Manitoba, together with such persons as become shareholders in the Company, are incorporated under the name of the "Manitoba and Keewatin Railway Company," herein-after called "the Company." Corporate name.

2. The persons named in section 1 of this Act are constituted provisional directors of the Company, with power to increase their number. Provisional directors.

3. The capital stock of the Company shall be one million dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed. Capital stock.

4. The head office of the Company shall be in the city of Head office. Winnipeg, or in such other place in Canada as the Company determines by by-law.

5. The annual meeting of the shareholders shall be held on Annual meeting. the third Wednesday in September in each year.

6. At such meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose five persons to be directors of the Company, one or more of whom may be paid directors. Election of directors.

Line of  
railway  
described.

**7.** The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point in or near the city of Winnipeg or in or near the town of Selkirk, in the province of Manitoba, northerly and easterly to the eastern boundary of the said province, thence easterly through the district of Keewatin to tide water on the west coast of Hudson's Bay or James Bay, at or near the mouth of the Severn River or of any of the rivers southerly therefrom within the said district, to be known as the main line; and may also build a branch from the main line west of Cat Lake or River to some point on the eastern shore of Lake Winnipeg, and also a branch from a point west of Cat Lake or River to the Canadian Pacific Railway at or near Ignace, or from a point on the main line east of the said river, to the said railway and Lake Superior, at or near Black River.

Powers of  
Company.

Roads,  
buildings, etc.

Electricity.

Water powers.

Vessels.

Franchises  
and patent  
rights.

Telegraph  
and telephone  
lines.

Agreement  
with telegraph  
and telephone  
companies.

Rates to  
be approved.

**8.** The Company may, in connection with its business and for the purposes of its railway undertaking,—

(a.) construct and operate, or aid in and subscribe towards the construction, operation, maintenance and improvement of stage or wagon roads, tramways, docks, piers, viaducts, flumes, ditches, mills, elevators or other buildings and works, which may be deemed necessary or convenient for the purposes of the Company;

(b.) erect, use and manage works, machinery and plant for the generation, transmission and distribution of electric power and energy;

(c.) acquire and utilize water powers, and dispose of surplus power, either directly or by converting it into electricity;

(d.) construct, acquire, charter, navigate and dispose of steam or other vessels;

(e.) acquire, use and dispose of franchises, letters patent, patent rights and inventions.

**9.** The Company may construct and operate telegraph and telephone lines upon and along the whole length of its railway and branches, and establish offices for the transmission of messages for the public and collect tolls for so doing; and for the purpose of operating such telegraph and telephone lines the Company may enter into a contract with any other company, or may lease the Company's lines, or any part thereof, and may connect its lines with the lines of any telegraph or telephone company.

2. The Company may enter into an agreement with any telegraph or telephone company for the exchange and transmission of messages or for the working in whole or in part of the lines of the Company.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone or for leasing or using the telegraphs or telephones of the Company until such rates or charges have been approved of by the Governor in Council, and such rates and charges

shall be subject to revision from time to time by the Governor in Council.

4. *The Electric Telegraph Companies Act* shall apply to the R.S.C., c.132. business of the Company.

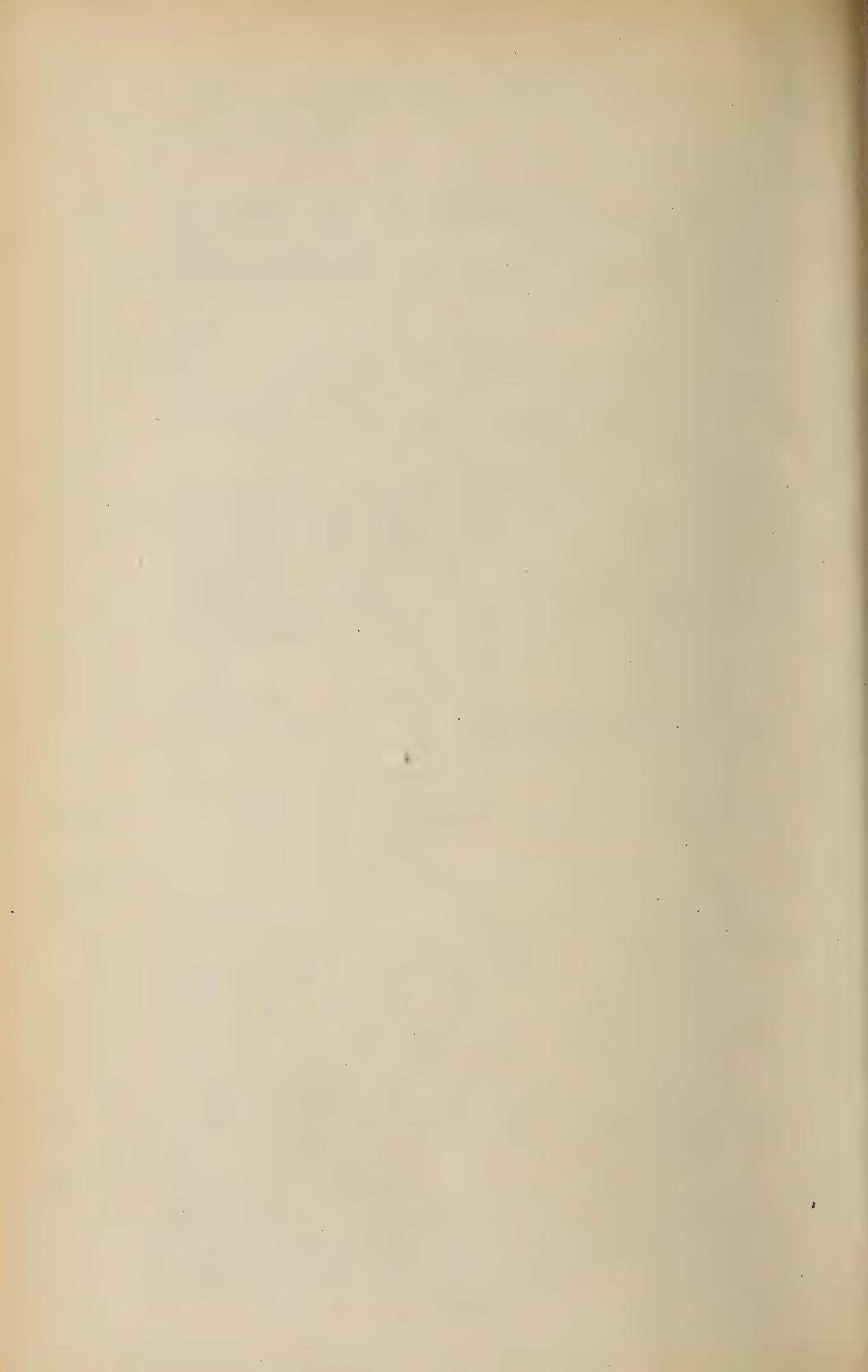
**10.** The powers contained in *The Railway Act* respecting 1888, c. 29. or incidental to the taking of lands without the consent of the owners thereof shall not apply to any works of the Company <sup>Expropriation of lands.</sup> other than those relating to the construction, operation and maintenance of the railway.

**11.** The Company may issue bonds, debentures or other <sup>Bond issue.</sup> securities to the extent of twenty thousand dollars per mile of the railway and branches, and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

**12.** If the construction of the railway is not commenced, and fifteen per cent of the amount of the capital stock is not expended thereon, within two years from the passing of this Act, or if the railway is not finished and put in operation within five years from the passing of this Act, the powers conferred upon the Company by Parliament shall cease and be null and void with respect to so much of the railway as then remains uncompleted. <sup>Time for construction limited.</sup>

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most Excellent Majesty.





## 2 EDWARD VII.

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### CHAP. 71.

#### An Act respecting the Manitoba and North-western Railway Company of Canada.

[Assented to 15th May, 1902.]

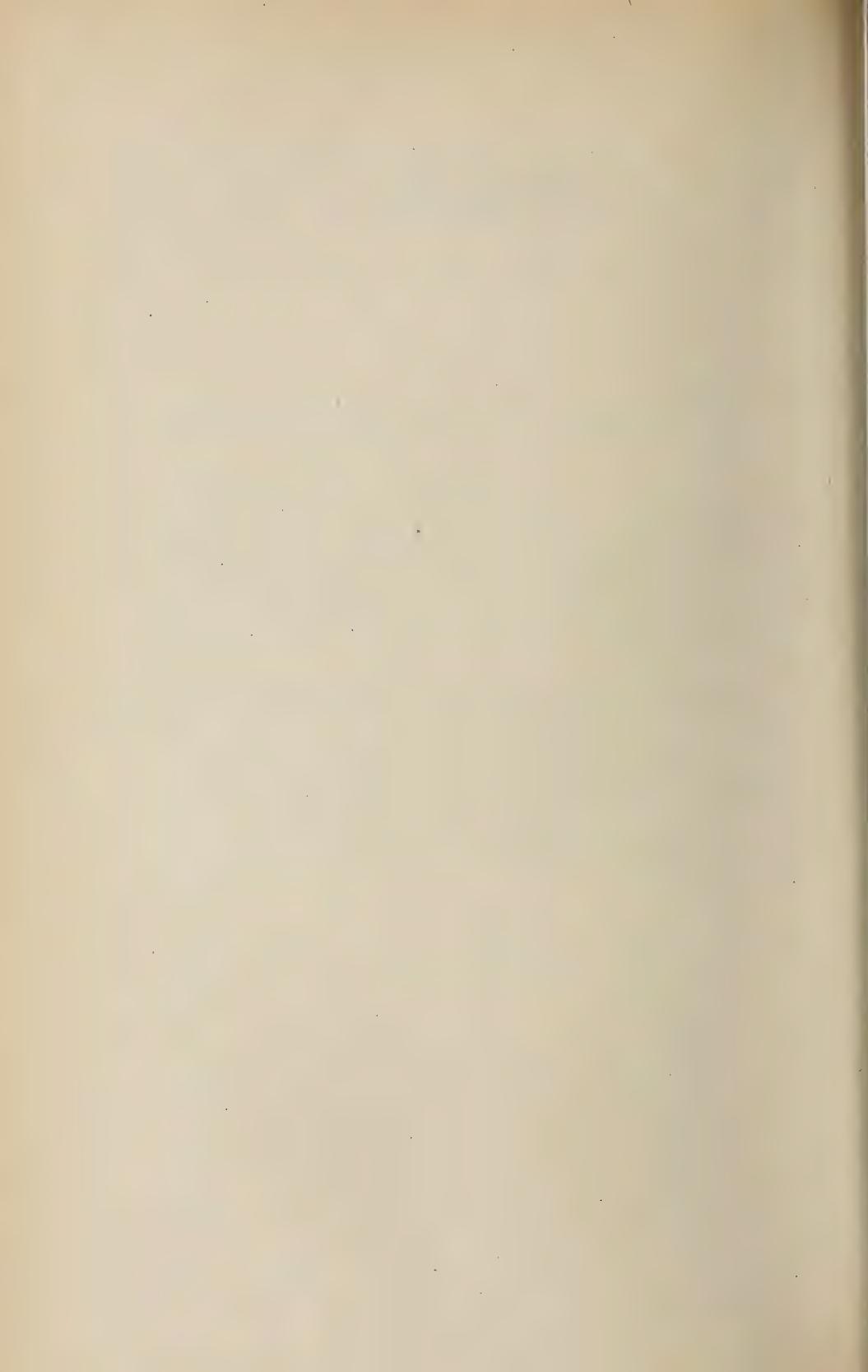
WHEREAS the Manitoba and North-western Railway Company of Canada has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Manitoba and North-western Railway Company of Canada may construct and complete the line of railway and branch line authorized by paragraphs (a.) and (b.) of section 9 of chapter 52 of the statutes of 1893; and such lines shall be commenced within two years and completed within five years from the passing of this Act, otherwise the powers of construction granted by Parliament shall cease and be null and void as respects so much of the said lines as then remains uncompleted.

Time for  
construction  
extended.

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most Excellent Majesty.





## 2 EDWARD VII.

### CHAP. 72.

#### An Act respecting the Manitoulin and North Shore Railway Company.

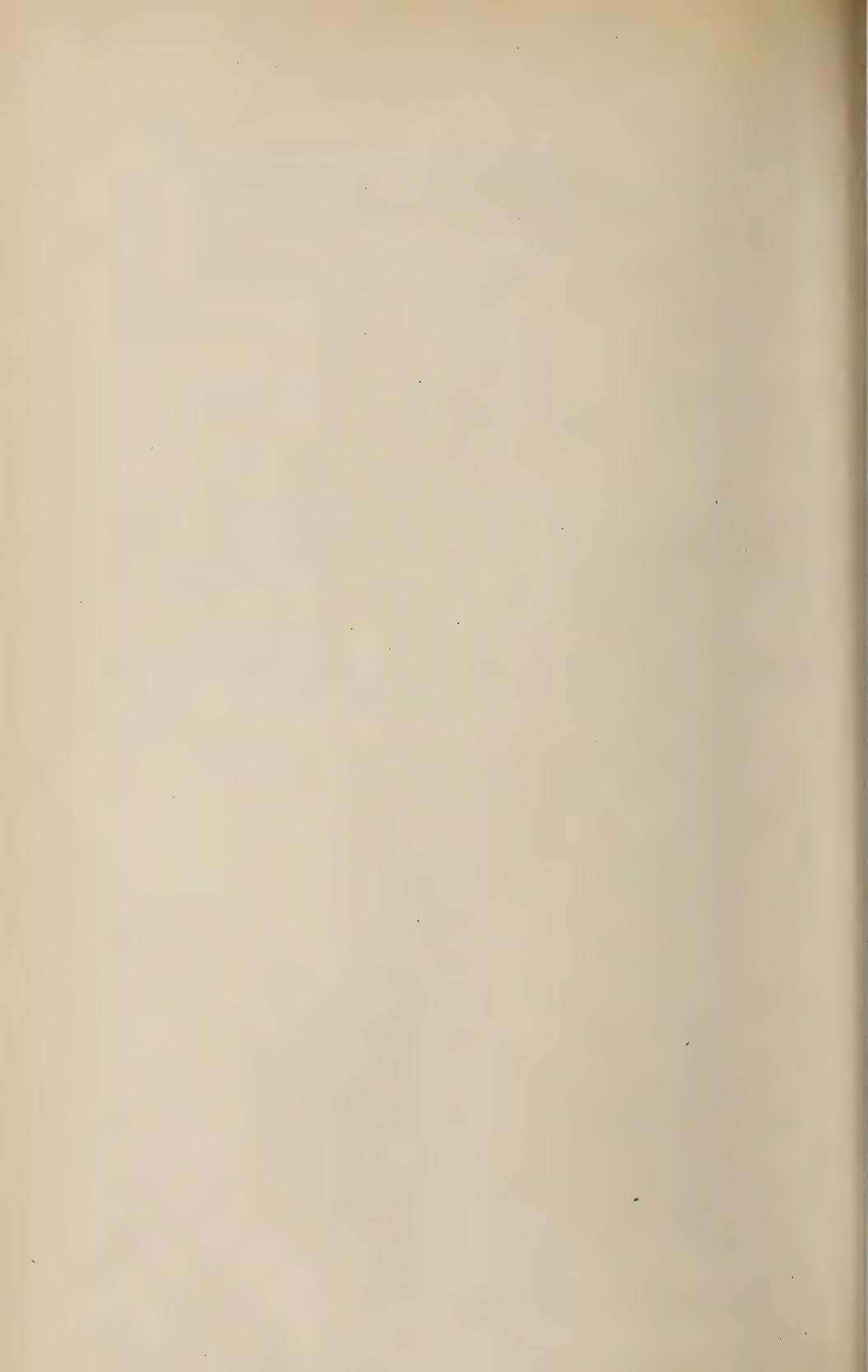
[Assented to 15th May, 1902.]

WHEREAS a petition has been presented praying that it be Preamble. enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, 1900, c. 64. by and with the advice and consent of the Senate and House 1901, c. 74. of Commons of Canada, enacts as follows:—

1. Section 10 of chapter 64 of the statutes of 1900 is hereby amended by striking out the word "twenty" in the second line and substituting the word "thirty" in lieu thereof.

1900, c. 64, s. 10 amended.  
Bond issue increased from \$20,000 to \$30,000 per mile.

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## 2 EDWARD VII.

### CHAP. 73.

#### An Act to incorporate the Maritime Stock Breeders' Association.

*[Assented to 15th May, 1902.]*

WHEREAS the voluntary association now existing under Preamble. the name of "The Maritime Stock Breeders' Association" has, by its petition, prayed that it be enacted as herein-after set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** E. B. Elderkin, of Amherst, Nova Scotia, president of Incorpora-  
the said voluntary association, Colin Campbell, of Apohaqui, tion.  
New Brunswick, C. A. Archibald, of Truro, Nova Scotia, J.  
W. Callbeck, of Augustine Cove, Prince Edward Island, vice-  
presidents thereof, W. W. Hubbard, of St. John, New Bruns-  
wick, secretary-treasurer thereof, M. H. Parlee, of Sussex,  
New Brunswick, Bliss Fawcett, of Sackville, New Brunswick,  
Jno. F. Frost, of Hampton, New Brunswick, Jno. Richards, of  
Bideford, Prince Edward Island, F. L. Haszard, of Charlottetown,  
Prince Edward Island, J. C. Irving, of Cherry Valley,  
Prince Edward Island, Fred. S. Black, of Amherst, Nova  
Scotia, W. W. Black, of Amherst, Nova Scotia, F. L. Fuller,  
of Truro, Nova Scotia, members thereof, R. Robertson, of  
Nappan, Nova Scotia, J. R. Starr, of Starr's Point, Nova  
Scotia, auditors thereof, together with such persons as become  
members of the association, are hereby incorporated under the  
name of "The Maritime Stock Breeders' Association," herein-  
after called "the Association." Corporate  
name.

**2.** The objects and powers of the Association shall be—  
(a.) to improve the class of live stock bred in the Maritime  
Provinces;  
(b.) to develop better markets for live stock and live stock  
products;  
(c.) to hold live stock exhibitions;

Objects and  
powers.

(d.) to disseminate information regarding live stock, by means of lectures at exhibitions and in such other places as the executive committee determines ;

(e.) to hold auction sales of pure-bred live stock ;

(f.) to take such action as the executive committee deems advisable in all matters relating to live stock interests.

Constitution  
and by-laws.

**3.** The constitution and by-laws of the association now in force shall continue to be the constitution and by-laws of the Association until they are altered or repealed as provided therein ; and the present officers of the Association shall be the officers of the Association until their successors are elected in the manner prescribed by the said constitution and by-laws.

Officers.

Property  
vested.

**4.** All property now belonging to the Association is hereby vested in the Association.

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most Excellent Majesty.



## 2 EDWARD VII.

### CHAP. 74.

#### An Act to incorporate the Medicine Hat and Northern Alberta Railway Company.

[Assented to 15th May, 1902.]

WHEREAS a petition has been presented praying that it be <sup>Preamble.</sup> enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** James Cochrane and David Lockerby, of the city of Mon- <sup>Incorpora-</sup> <sub>tion.</sub>real, F. R. Latchford and H. B. McGiverin, of the city of Ottawa, and F. H. Phippen, of the city of Winnipeg, together with such persons as become shareholders in the company, are incorporated under the name of "The Medicine Hat and <sup>Corporate</sup> Northern Alberta Railway Company," hereinafter called "the name. Company."

**2.** The persons named in section 1 of this Act are con- <sup>Provisional</sup> <sub>directors.</sub>stituted provisional directors of the Company.

**3.** The capital stock of the Company shall be one million <sup>Capital stock.</sup> dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent of the shares subscribed.

**4.** The head office of the Company shall be at the city of <sup>Head office.</sup> Winnipeg, in the province of Manitoba, but the shareholders may, by by-law passed at any annual meeting, or at any special general meeting called for such purpose, change the head office to the city of Montreal, in the province of Quebec.

**5.** The annual meeting of the shareholders shall be held on <sup>Annual</sup> <sub>meeting.</sub> the first Tuesday in September in each year.

**6.** At such meeting the subscribers for the capital stock <sup>Election of</sup> assembled, who have paid all calls due on their shares, shall <sup>directors.</sup> choose

choose nine persons to be directors of the Company, one or more of whom may be paid directors.

Line of railway described.

**7.** The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point in or near the town of Medicine Hat on the main line of the Canadian Pacific Railway Company in the district of Assiniboia in the North-west Territories; thence in a north-westerly direction to a point in the vicinity of township thirty-one, ranges sixteen or seventeen west of the fourth meridian; thence to a point on the North Saskatchewan River at or near Victoria in Northern Alberta.

Telegraph and telephone lines.

**8.** The Company may construct and operate telegraph and telephone lines upon and along the whole length of its railway and branches and establish offices for the transmission of messages for the public, and collect tolls for so doing, and for the purpose of operating such telegraph and telephone lines the Company may enter into a contract with any other company or may lease the Company's lines, or any part thereof, and may connect its lines with the lines of any telegraph or telephone company.

Arrangements with telegraph and telephone companies.

**2.** The Company may enter into arrangements with any telegraph or telephone company for the exchange and transmission of messages, or for the working in whole or in part of the lines of the Company.

Rates to be approved.

**3.** No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for leasing or using the telegraphs or telephones of the Company until such rates or charges have been approved of by the Governor in Council, and such rates and charges shall be subject to revision, from time to time, by the Governor in Council.

R.S.C., c. 132.

**4.** *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company.

Bond issue.

**9.** The Company may issue bonds, debentures or other securities to the extent of fifteen thousand dollars per mile of the railway and branches, and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Agreement with another company.

**10.** The Company may enter into an agreement with the Canadian Pacific Railway Company or the Canadian Northern Railway Company for conveying or leasing to such company the railway of the Company, in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon and subject to such restrictions as to the directors seem fit; provid-

ed that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties or electoral districts through which the railway of the Company runs, and in which a newspaper is published.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be *prima facie* evidence of the requirements of this section having been complied with.

**11.** If the construction of the railway is not commenced and fifteen per cent on the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not finished and put in operation within five years after the passing of this Act, the powers of construction granted by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

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## 2 EDWARD VII.

### CHAP. 75.

#### An Act respecting the Medicine Hat Railway and Coal Company.

[Assented to 15th May, 1902.]

WHEREAS the Medicine Hat Railway and Coal Company Preamble.  
has, by its petition, prayed that it be enacted as herein-after set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The times limited by section 1 of chapter 54 of the statutes of 1897 for the commencement and completion of the railway of the Medicine Hat Railway and Coal Company are extended for one and two years respectively from the passing of this Act, and if the said railway is not commenced and fifteen per cent on the amount of the capital stock is not expended thereon within the said one year, or if the railway is not finished and put in operation within the said two years, then the powers granted by Parliament for such construction shall cease and be null and void as respects so much of the railway as then remains uncompleted.

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## 2 EDWARD VII.

### CHAP. 76.

#### An Act to incorporate the Metropolitan Bank.

[Assented to 15th May, 1902.]

WHEREAS the persons hereinafter named have, by their <sup>Preamble.</sup> petition, prayed that an Act be passed for the purpose of establishing a bank in Canada, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The persons hereinafter named, together with such others <sup>Incorpora-</sup> as may become shareholders in the corporation by this <sup>tion.</sup> Act created are hereby constituted a corporation by the name of “The Metropolitan Bank,” hereinafter called “the Bank.” <sup>Corporate</sup> name.

**2.** The capital stock of the Bank shall be two millions of <sup>Capital.</sup> dollars.

**3.** The chief office of the Bank shall be at the city of <sup>Chief office.</sup> Toronto.

**4.** A. E. Ames, Robert H. Warden, S. J. Moore and T. Bradshaw, all of the city of <sup>Provisional</sup> Toronto, shall be the provisional <sup>directors.</sup> directors of the Bank.

**5.** This Act shall, subject to the provisions of section 16 of <sup>Duration of</sup> *The Bank Act*, remain in force until the first day of July in <sup>charter.</sup> the year one thousand nine hundred and eleven.

1890, c. 31.

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## 2 EDWARD VII.

### CHAP. 77.

An Act incorporating the Molsons Bank Pension Fund.

[Assented to 15th May, 1902.]

WHEREAS James Elliot, of Montreal, general manager, A. D. Durnford, of the same place, chief inspector and superintendent of branches, W. H. Draper, of the same place, inspector, E. C. Pratt, of the same place, manager, C. W. Clinch, of Toronto, manager, P. W. D. Brodrick, of London, manager; A. B. Brodrick, of Ottawa, manager, and H. A. Harries, of Montreal, accountant at the head office of the Molsons Bank, have by their petition set forth that it is desirable that provision should be made to enable the employees of the said bank to establish a pension fund for their benefit and that of their families, and to enable the bank to make payments to the said fund under subsection 2 of section 18 of *The Bank Act*; and whereas it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1890, c. 31,  
s. 18.

**1.** James Elliot, A. D. Durnford, W. H. Draper, E. C. Pratt, C. W. Clinch, P. W. D. Brodrick, A. B. Brodrick and H. A. Harries, and all the employees of the said Bank from time to time, except such as may be ineligible or excluded by virtue of the by-laws thereof, are hereby constituted a body politic and corporate under the name of "The Molsons Bank Pension Fund" <sup>Name.</sup> hereinafter called "the Corporation."

**2.** The Corporation shall have its principal office at Montreal. <sup>Head office.</sup>

**3.** The Molsons Bank may pay and the Corporation may receive such sums as the Bank may contribute under subsection 2 of section 18 of *The Bank Act* towards any pension fund. <sup>Contributions of the Bank.</sup>

**4.** The Corporation may receive such sums of money as may be paid in by any employee of the Bank under any regulation or by-law hereafter made by the Corporation, and also gifts or contributions from any other corporation or person. <sup>Funds.</sup>

Property to be held in trust to provide pensions.

**5.** The property of the Corporation shall be held in trust by it for the purpose of providing pensions for employees or ex-employees of the Molsons Bank, or their widows and children, in such amounts and under such terms and conditions as may be determined from time to time by the directors of the Corporation.

Investment of funds.

**6.** The funds of the Corporation may be invested by the board of directors, from time to time, in real estate, or in mortgages or hypothecs secured upon real estate, or in bonds or debentures of any incorporated company secured by a deed of trust on the assets of the company by which the same are issued, or in debentures of any municipal corporation in the Dominion of Canada, or in the public securities of the Dominion of Canada or any province thereof, or of the United States of America or any state thereof, or in any stock of any corporation or company quoted upon the stock list of the Montreal Stock Exchange or of the New York Stock Exchange, if such stock has been so quoted for more than two years previous to any investment therein by the Corporation and there has been paid thereon, during such time, not less than four and a half per cent on the par value of the shares.

Disposal of investments.

**7.** Any investment of the Corporation may be disposed of from time to time by the board of directors as it may see fit and the proceeds thereof may be reinvested by it.

Directors.

**8.** The petitioners James Elliot, A. D. Durnford, W. H. Draper, E. C. Pratt and H. A. Harries above named, together with W. L. Chipman, of Montreal, assistant inspector, shall be the first board of directors, and they and their respective successors in their said offices shall continue *ex officio* to constitute said board.

First general meeting.

**9.** The general manager of the Molsons Bank for the time being shall, forthwith after the passing of this Act, cause a notice to be sent, in such manner as he may deem fit, of a special general meeting of the Corporation to be held at such time and place and so soon thereafter as may be convenient.

Returns.

**10.** The Corporation shall, at all times when required by the Governor in Council or by either House of Parliament, make a full and complete return of its property, receipts and expenditures, for such periods and with such details and other information as may be required.

By-laws.

**11.** The board of directors generally may make such by-laws as may be necessary for the government of the Corporation, the appointing of its officers, the continuing of its business, the investment of its funds, the distribution thereof among the employees, or the ex-employees, or their widows and children,

and for the determining of their respective rights in and to the funds of the Corporation, or any part thereof, and the forfeiture of their rights thereto, the rights of any employee to vote at any meeting, and generally for such purposes incidental to the carrying on of the corporate existence and purpose as they may deem expedient.

**12.** The following sections only of *The Companies Clauses Act* shall apply to the Corporation, namely : Sections 5, 6, 14, 28 and 29, which sections shall be read as if the word "shareholder" meant a member of the Corporation, and the word "company" meant the Corporation.

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## 2 EDWARD VII.

### CHAP. 78.

#### An Act respecting the Montreal and Southern Counties Railway Company.

[Assented to 15th May, 1902.]

WHEREAS the Montreal and Southern Counties Railway Preamble. Company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Montreal and Southern Counties Railway Company Connections with other railways. may, subject to the approval of the Railway Committee of the Privy Council and subject also to the provisions of *The Railway Act*, connect its railway with the railways of the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company, the Montreal Street Railway Company, the Montreal Park and Island Railway Company, the Montreal Terminal Railway Company, the Chateauguay and Northern Railway Company and the Great Northern Railway Company on the island of Montreal; also with the St. Lawrence and Adirondack Railway Company, the Canada Atlantic Railway Company, the Rutland Railroad Company, the Quebec Southern Railway Company, the Delaware and Hudson Railway Company, the Central Vermont Railway Company, the Stanstead, Shefford and Chambley Railway Company and the St. Hyacinthe Electric Railway Company, the Intercolonial Railway and the companies mentioned in section 10 of chapter 56 of the statutes of 1897 and in section 5 of chapter 78 of the statutes of 1898; and for the purpose of crossing the River St. Lawrence the Company may, subject to the proviso above mentioned, enter into arrangements with the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company, the Richelieu and Ontario Navigation Company and any bridge companies crossing the River St. Lawrence at or near the city of Montreal; and for the purpose of running through trains or cars from the line of the Intercolonial

lonial Railway or of any of the said companies to the line of any other of the said companies the said railway and the said companies may by arrangement with the Company and subject to the proviso above mentioned obtain running powers over any portion of the Company's lines required for that purpose and may use thereon the same motive power as is used by them on their own lines.

1897, c. 56.  
s. 10 amended.

Agreements  
with other  
companies.

Vessels,  
buildings, etc.

Time for  
construction  
limited.

**2.** Section 10 of chapter 56 of the statutes of 1897, as amended by section 5 of chapter 78 of the statutes of 1898, is amended by adding after the words "Napierville Junction Railway Company" the words "the Rutland Railroad Company, the Delaware and Hudson Railway Company, the Quebec Southern Railway Company, the Intercolonial Railway, and the St. Hyacinthe Electric Railway Company."

**3.** The Montreal and Southern Counties Railway Company may, in connection with its railway and for the purposes of its railway undertaking, construct, purchase, charter, lease, maintain and operate steam, electric, gasoline, compressed air and other boats, vessels and power vehicles, and elevators, warehouses, docks, wharfs and other buildings, and dispose thereof.

**4.** If the construction of the railway is not commenced and fifteen per cent on the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not finished and put in operation within five years after the passing of this Act, the powers granted by the Acts relating to the Company or by *The Railway Act* shall cease and be null and void as respects so much of the railway and undertaking as then remains uncompleted.

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## 2 EDWARD VII.

### CHAP. 79.

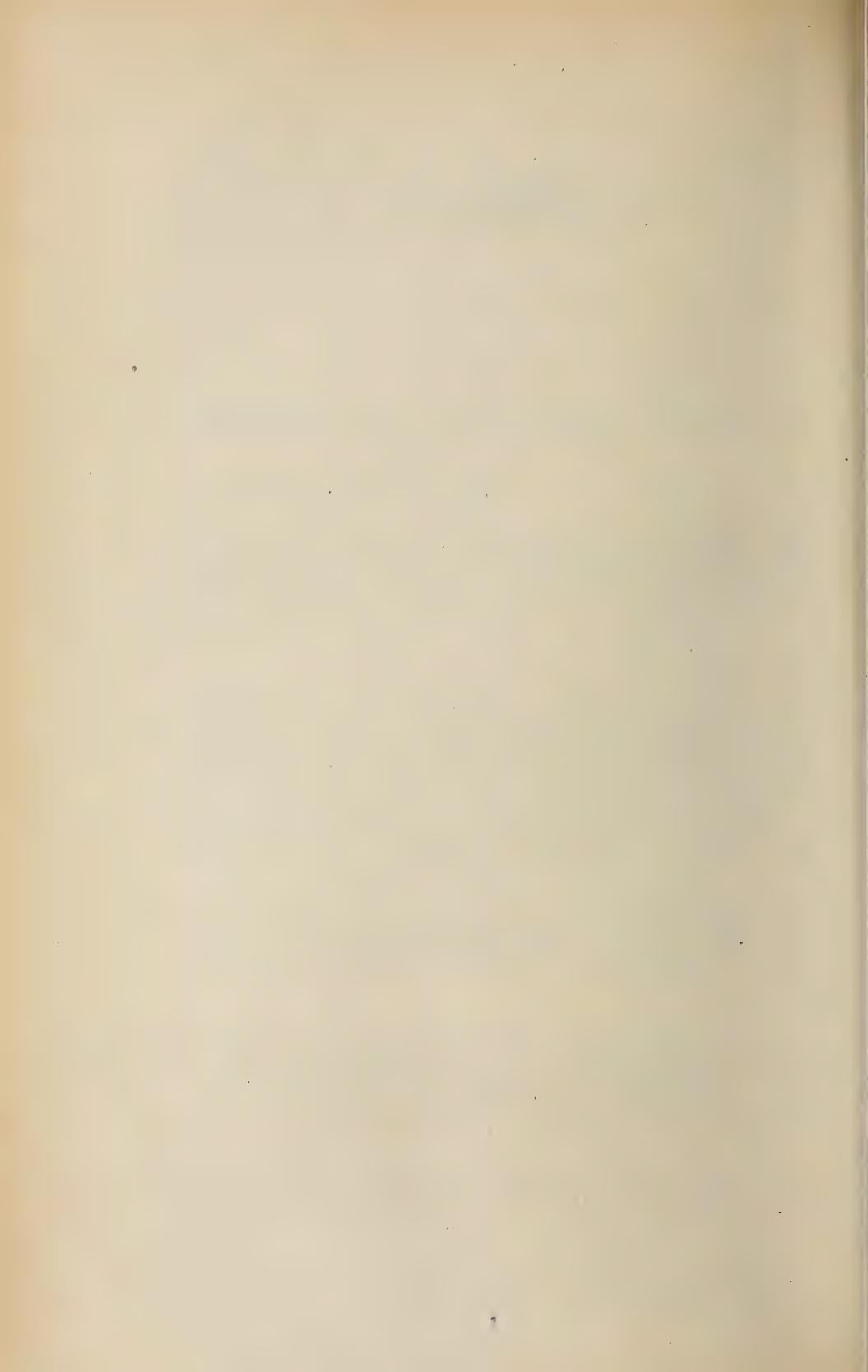
#### An Act respecting the Montreal, Ottawa and Georgian Bay Canal Company.

[Assented to 15th May, 1902.]

WHEREAS the Montreal, Ottawa and Georgian Bay Canal Preamble.  
Company has, by its petition, prayed that it be enacted  
as hereinafter set forth, and it is expedient to grant the prayer 1894, c. 103,  
of the said petition: Therefore His Majesty, by and with the 1896 (2nd Sess.)  
advice and consent of the Senate and House of Commons of c. 11;  
Canada, enacts as follows:— 1898, c. 109; 1900, c. 106.

**1.** Section 4 of chapter 109 of the statutes of 1898, as 1898, c. 109,  
enacted by section 3 of chapter 106 of the statutes of 1900, is s. 4, and  
hereby repealed, and in lieu thereof it is hereby enacted that 1900, c. 106,  
if the construction of the Montreal, Ottawa and Georgian Bay s. 3 repealed.  
Canal Company's canals, or some of them, is not commenced Extension  
and fifty thousand dollars are not expended thereon on or of time for  
before the first day of May, one thousand nine hundred and construction.  
four, or if the said canals are not finished and put in operation  
by the first day of May, one thousand nine hundred and ten,  
then the powers granted by the Acts relating to the said Company  
shall cease and shall be null and void as respects so  
much of the canals and works of the Company as then remain  
uncompleted.

**2.** The Company shall not exercise its powers in respect of Restriction as  
the section from Lake Nipissing to Georgian Bay, otherwise to French  
called "the French River section," until and unless an order River section.  
of the Governor in Council is passed authorizing the same.





## 2 EDWARD VII.

### CHAP. 80.

#### An Act to incorporate the Montreal Subway Company.

*[Assented to 15th May, 1902.]*

WHEREAS a petition has been presented praying that it Preamble. be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. Robert Mackay, Robert Reford, Henry Miles, D. White, Incorporation. William Price, John Sharples, L. M. Jones, H. A. Hodge and Alfred Ernest Ames, together with such persons as become shareholders in the company, are incorporated under the name of the "Montreal Subway Company," hereinafter called "the Corporate name. Company."
2. The undertaking of the Company is declared to be a Declaratory work for the general advantage of Canada
3. The persons named in section 1 of this Act are constituted the provisional directors of the Company, and in case of the death, resignation or inability of any of them to act, their successors shall be appointed by the remaining provisional directors.
4. The capital stock of the Company shall be five million Capital stock. dollars, divided into shares of one hundred dollars each, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed.
5. The head office of the Company shall be in the city of Head office. Montreal, or at such place in Canada as the Company from time to time determines by by-law.
6. The annual meeting of the shareholders shall be held on Annual meeting. the first Tuesday in September in each year.

Election of  
directors.

Power to  
construct  
subways and  
branch  
railways.

Proviso.

Telegraph and  
telephone  
lines.

Lands,  
buildings, etc.

Aid to  
Company.

**7.** At the first meeting of the shareholders, the subscribers for the capital stock present or represented by proxy, who have paid all calls due on their shares, shall elect not less than seven nor more than fifteen persons as directors of the Company.

**8.** The Company may, between such points as may be designated by the Governor in Council, and with the consent and approval of the Governor in Council first obtained, lay out, construct and operate a subway or subways for both railway and highway purposes under the bed of the River St. Lawrence opposite the island of Montreal, and may, upon like designations, consent and approval, in each case first obtained, lay out, construct and operate, on each side of the River St. Lawrence, approaches, subways, branch lines of railways, underground and ordinary roads and highways for the purpose of connecting the said subway or subways with the lines of any railway or with any main roads or highways coming to or near the city of Montreal, or coming within the towns or parishes on the south shore of the River St. Lawrence opposite the island of Montreal, and also such other works as are necessary for the convenient using of the said subway or subways as a means of communication between the north and south shores of the said river; and the said works may consist in part of a bridge or bridges and in part of a subway or subways: Provided that in the construction of such subways or bridges the Company shall not cause any obstruction in, nor in any way interfere with, nor impede the free navigation of, the River St. Lawrence, and that both the said subways for railway and highway purposes shall be laid out and constructed simultaneously.

**9.** The Company may, for the purposes of its undertaking, construct, maintain and operate telegraph and telephone lines, or wires, cables or other appliances for the transmission of electricity or electric energy, throughout the whole length of the said subway and its approaches, and may acquire lands for stations, warehouses, elevators, buildings and sidings, in connection with the operations of the Company, and erect the buildings or works thereon, and make all contracts necessary to the working thereof.

**10.** The Company may receive from any government or person as aid in the construction of the said subway, terminals, buildings, branch railways and any other thing hereby authorized to be made, any loan of credit or guarantee of the Company's bonds or debentures, and any sums of money, or bonds or debentures, franchises, contracts or privileges, and any real or personal property, either as gifts, or by way of bonus, or in payment of stock, and legally dispose thereof, and may alienate the said lands or other property for the purposes of

the Company in carrying out the provisions of this Act ; and any person may subscribe for or otherwise acquire shares in the capital stock of the Company and dispose thereof.

**11.** Whenever it becomes necessary, for the purpose of procuring sufficient land for stations or gravel pits or other purposes, for constructing, maintaining and using the said subway, to purchase more land than is required for such stations or gravel pits or other purposes necessary for its undertaking, the Company may purchase, hold, use or enjoy such lands, and also the right of way thereto, if the same be separated from the said subway, in such manner and for such purposes connected with the construction, maintenance or use of the said subway as it deems expedient, and may sell and convey any part thereof not permanently required for the use of the said subway.

Purchase of land.

**12.** The Company may, from time to time, issue interest bearing bonds, debentures or other securities upon the subway and its approaches, but the amount thereof outstanding at any one time shall not exceed the sum of five million dollars in the aggregate, and the Company may also issue interest bearing bonds, debentures and other securities upon any lines of railway which it constructs in accordance with the provisions of this Act, not to exceed fifty thousand dollars per mile, and such bonds shall be secured by mortgage upon the subway and approaches and the said railways, and the security to be provided in such mortgages may include tolls and revenue derived from the use of the subway and the other works of the Company, and may include all other assets, rights and benefits to which the Company is entitled. The said mortgages shall be registered with the Secretary of State of Canada, and may be in favour of any trustee, either in Canada or elsewhere, who may be selected by the directors.

Bond issue on subway.

Mortgage securing bonds to be registered.

**13.** The Company may, subject to the approval of the Governor in Council, enter into any arrangement with any railway coming within or near the island of Montreal, or the towns or parishes on the south shore of the River St. Lawrence opposite the said island, for the purpose of making any branches to facilitate a connection between the railways of the Company and any of the said railways, and for the use of the subway and other property of the Company, and for passing the cars of any of the said railways, with their freight and passengers, through and along the subway and branch railways of the Company, and, with the like approval, generally, make any agreements with any of such railways touching the use by the Company or by any of such railways, or by both, of the cars or rolling stock or movable property of either, or both, or touching any service to be rendered by the Company, or by any other of the said railways, to the others or other respectively,

tively, and the compensation therefor, and any such agreements shall be valid and binding on the parties thereto.

Power to amalgamate with another company.

**14.** The Company, under the authority of a special general meeting of the shareholders called for the purpose, expressed by a resolution concurred in by two-thirds of the shareholders present or represented by proxy at such meeting, may unite, amalgamate and consolidate its stock, property and franchises with the stock, property and franchises of any other company incorporated for a purpose similar to that of the Company, or with any railway company, and may enter into all contracts and agreements therewith necessary for such union and amalgamation, and such new corporation may consolidate or unite with any company owning lines of railway connecting with the said subway, its approaches or lines of railway, and every company under the legislative authority of Parliament may amalgamate, consolidate or unite with the Company, and such new corporation shall possess all the rights, powers, privileges and franchises, and be subject to all the liabilities, disabilities and duties of each of such corporations so consolidated and united, and such agreement shall also receive the sanction of the Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper published in the English and in one newspaper in the French language in the city of Montreal.

Agreement to be filed with Secretary of State.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be *prima facie* evidence of the requirements of this Act having been complied with.

Time for construction limited.

**15.** The powers granted by this Act shall be valid only if the said subway and other works of the Company shall be bona fide commenced within ninety days after the plans and specifications thereof have been approved by the Railway Committee of the Privy Council and completed within five years from the commencement of the said subway and other works.

Plans to be approved.

**16.** The plans and specifications referred to in the next preceding section shall be submitted for approval not later than six months after the passing of this Act.

Deposit by Company.

**17.** The powers granted by this Act shall be valid only if the Company within ten days after being notified that the said plans and specifications have been approved of, deposits with the Government of Canada the sum of fifty thousand dollars,

which said sum shall be forfeited to His Majesty for the public <sup>When</sup> ~~forfeited~~ uses of Canada upon the happening of all or any of the following contingencies :—

(a.) If the Company fails to bona fide commence active work of construction upon its undertaking within ninety days after the approval of its said plans and specifications :

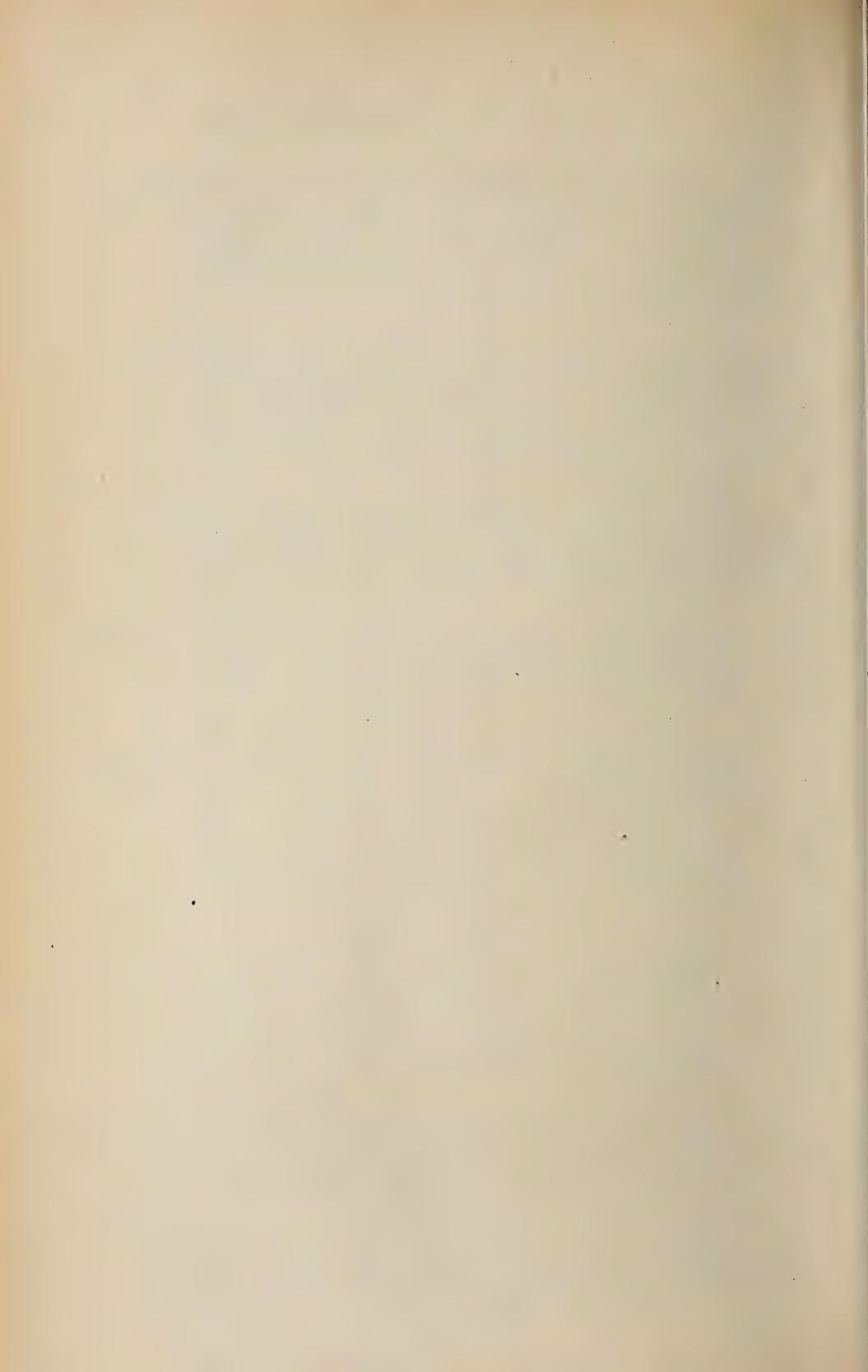
(b.) If the Company fails to bona fide expend upon its undertaking within nine months after the approval of the said plans and specifications a sum not less than two hundred thousand dollars on work of construction.

**18.** In case the Company makes the said deposit of fifty <sup>When to be repaid.</sup> thousand dollars, as provided by the next preceding section, and bona fide expends upon its undertaking within nine months after the approval of the said plans and specifications, a sum not less than two hundred thousand dollars, then the said deposit shall be repaid to it.

**19.** *The Railway Act*, so far as applicable, shall apply to the <sup>1888, c. 29, to apply.</sup> Company and to its undertaking in the same manner as if in the said Act the words "the Company's undertaking" were substituted for the word "railway."

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## 2 EDWARD VII.

### CHAP. 81.

#### An Act to incorporate the Bishop of Moosonee.

[Assented to 15th May, 1902.]

WHEREAS the Right Reverend John Horden was consecrated and appointed the first Bishop of the Diocese of Moosonee, one of the missionary dioceses of the Church of England in Canada, which office he held until the time of his death, whereupon the Right Reverend Jervois Arthur Newnham was consecrated and appointed to fill the vacancy in such office and is the present bishop of said diocese; and whereas divers lands situate within the said diocese have been granted to the successive incumbents of said bishopric, to each and his successors in office, for various purposes in connection with the said church in the said diocese; and whereas the said diocese is still a missionary diocese and no synod, assembly, convocation, or other body comprising representatives of the clergy and laity therein, has ever been convened or organized, and the bishop of the said diocese has never been constituted a corporation sole; and whereas it is expedient to make provision for the management and control of the property, affairs and interests of the said church in matters relating to and affecting only the said church and the officers and members thereof, and in respect of the premises, and to incorporate the bishop of the said diocese; Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Right Reverend Jervois Arthur Newnham, Bishop of Moosonee, and his successors in office, are hereby incorporated, for the purposes mentioned in the preamble, under the name of "The Bishop of Moosonee," hereinafter called "the Corporation," with all the powers and privileges contained in R.S.C., c. 1, paragraph 43 of section 7 of chapter 1 of the Revised Statutes of Canada.

2. The Corporation may receive and hold property of any kind for the uses and purposes of the Church of England in the Power to hold and alienate property.

## Limitation.

the said Diocese of Moosonee, including the uses and purposes of any parish, mission, institution, college, school, or hospital, now or hereafter connected with the Church of England, and may receive any devise by will, gift, and conveyance of land or any estate or interest therein, and may sell, alienate, mortgage, or lease any lands, tenements and hereditaments held by it, whether by way of investment for the uses and purposes hereinbefore mentioned or not: provided that the annual revenue of the real estate held by the Corporation shall not at any one time exceed the sum of forty thousand dollars; and provided also, that any devise of real estate to the Corporation shall be subject to the laws respecting devises of real estate to religious corporations in force at the time of such devise in the province or territory in which such real estate is situated.

## Power of investment.

**3.** The Corporation may invest its funds and moneys in :—

(a.) Government securities of the United Kingdom or Canada, or in the stocks, funds, bonds or debentures of the Government of India, or of any of the colonies of Great Britain; or—

(b.) the debentures, debenture stock, mortgages or securities of any corporation or company in the United Kingdom, or in any of the said colonies; provided such corporation or company is incorporated by Act of Parliament or charter, or is authorized by any such government, and has for the three years last preceding paid dividends on the ordinary stock; or—

(c.) in the purchase of freehold lands; or—

(d.) in first mortgages on freehold property in Canada;

## Mortgages.

And for the purposes of such investments may take mortgages or assignments thereof, whether such mortgages or assignments be made directly to the Corporation in its own corporate name, or to some company or person in trust for it, and may sell and assign the same.

## Executive committee.

**4.** The Corporation may exercise all its powers by and through an executive committee, or such boards or committees as the bishop may from time to time appoint for the management of any of the affairs of the said bishopric, but in accordance only with the trusts relating to any property upon or for which the same is held.

## Execution of instruments.

**5.** Instruments executed by the Corporation shall be verified by the signature of the Bishop of Moosonee or of his commissioner for that purpose by him in writing appointed.

## Retroactive effect of this Act as to validity of grants of land.

**6.** All deeds, conveyances and letters patent heretofore made to the said the Right Reverend John Horden, or to the said the Right Reverend Jervois Arthur Newnham, purporting to convey lands, or any interest therein, to either of them and his successors as such Bishop of Moosonee, shall be as valid and

effectual, for the purpose of vesting the same in the Corporation by this Act created, as if such Corporation had been created and in existence at the time at which such deeds, conveyances and letters patent were made.

**7.** The Corporation may transfer any property held in trust by it for any eleemosynary, ecclesiastical or educational use of the Church of England in the Diocese of Moosonee, or for any of the purposes herein set forth, to the Synod of the Diocese of Moosonee, when incorporated, to be held by the said synod in trust for the same uses and purposes.

Provision for  
transfer of  
trust property  
to a Diocesan  
Synod when  
incorporated.

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most Excellent Majesty.





## 2 EDWARD VII.

### CHAP. 82.

#### An Act to incorporate the Nepigon Railway Company.

[Assented to 15th May, 1902.]

WHEREAS a petition has been presented praying that it *Preamble.* be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Paul Weidner, of the city of Detroit, in the state of *Incorporation.* Michigan, one of the United States, Franklin S. Wiley and James Whalen, of the town of Port Arthur, in the district of Thunder Bay, M. B. Lloyd, of the city of Minneapolis, in the state of Minnesota, Newton W. Rowell and James G. Shaw, of the city of Toronto, together with such persons as become shareholders in the company, are incorporated under the name of the "Nepigon Railway Company," hereinafter called *Corporate name.* "the Company."

**2.** The persons named in section 1 of this Act are constituted *Provisional directors.* provisional directors of the Company.

**3.** The capital stock of the Company shall be one million *Capital stock.* dollars, and may be called up by the directors from time to time as they may deem necessary, but no one call shall exceed ten per cent on the shares subscribed.

**4.** The head office of the Company shall be in the city of *Head office.* Toronto, in the county of York, in the province of Ontario, or at such other place in Ontario as the Company determines by by-law.

**5.** The annual meeting of the shareholders shall be held in *Annual meeting.* the month of May in each year.

**6.** At such meeting the subscribers for the capital stock *Election of directors.* assembled who have paid all calls due on their shares, shall choose

choose seven persons to be directors of the Company, one or more of whom may be paid directors.

Line of railway described.

**7.** The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point on Nepigon Bay, at or near Nepigon station, in the district of Thunder Bay in the province of Ontario; thence in a northerly direction and passing on the easterly side of Lake Nepigon, to a point on or near the Albany River, and thence in a north-easterly direction to some point on James Bay, and also from some point on the said proposed line of railway south of Lake Nepigon, south-westerly to Port Arthur and Fort William.

Powers of Company.

Navigation.

Transportation.

Docks, etc.

Water powers.

Electricity.

Telegraph and telephone lines.

Arrangements with telegraph and telephone companies.

Rates to be approved.

R. S. C., c. 132.

Bond issue on railway.

**8.** The Company may, for the purposes of its railway undertaking and in connection with its railway business,—

(a.) carry on the business of navigation on the navigable bays, lakes and rivers adjacent to its line of railway and branches; acquire and use steam and other vessels for the transportation of passengers and freight, and dispose thereof;

(b.) acquire, construct and operate docks and elevators;

(c.) acquire water powers for the generation of electricity, and operate electricity works for the use and transmission of the power necessary for the operation of its railway and branches and tramways and utilize them for the purpose of heating and lighting, and dispose of the power not required for its own undertaking.

**9.** The Company may construct and operate telegraph and telephone lines upon and along its line of railway and branches, and establish offices for the transmission of messages for the public and collect tolls therefor, and for the operation of its telegraph and telephone lines the Company may enter into agreements with any other company, or may lease the Company's lines, or any part thereof, and may connect its lines with the lines of any telegraph or telephone company.

2. The Company may make arrangements with any telegraph or telephone company for the exchange or transmission of messages, or for the working in whole or in part of the lines of the Company.

3. No rates or charges shall be demanded or taken for the transmission of any message by telegraph or telephone, or for leasing or using the telegraphs or telephones of the Company until such rates or charges shall be approved of by the Governor in Council, and such rates or charges shall be subject to revision from time to time by the Governor in Council.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company.

**10.** The Company may issue bonds, debentures or other securities to the extent of twenty thousand dollars per mile of

the railway and branches, and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed, or under contract to be constructed.

**11.** The Company, having been first authorized by a resolution passed at a special general meeting of the shareholders duly called for the purpose, at which meeting shareholders representing at least two-thirds in value of the capital stock of the Company are present or represented by proxy, may from time to time issue bonds or debentures for the construction of any vessels or properties other than the railway which the Company is authorized to acquire, but the amount of such bonds and debentures shall not exceed the value of such vessels or properties.

Bond issue  
on other  
property

**12.** For the purpose of securing each issue of such bonds, the Company may give a mortgage, not contrary to law or inconsistent with the provisions of this Act, in such form and containing such provisions as may be approved of by a resolution passed at the special general meeting of the shareholders mentioned in the last preceding section.

Mortgage to  
secure bonds.

2. Each of such mortgages shall be made to trustees, who shall be appointed for that purpose at such special general meeting, and may contain provisions determining the amount secured upon the vessels or class of vessels, or upon the properties, other than the railway, to which it relates, the rank and priority of the bonds thereby secured, the rights and remedies of the holders of such bonds, the manner of assuring application of the proceeds of such bonds for the purposes for which they were issued, the rate of interest which they shall bear, and the time and place of payment of the principal and interest, the creation of a sinking fund for the redemption of the said bonds, and all the conditions, stipulations and restrictions necessary for giving effect to the terms of the mortgage and the protection of the holders of such bonds.

Particulars of  
mortgage.

3. The Company may pledge the tolls and revenue of the vessels or class of vessels or properties, other than the railway, to which the mortgage relates, in the manner and to the extent therein specified, and the said mortgage shall create absolutely a first lien and charge upon the vessels or class of vessels, or properties, other than the railway, therein described, as well as upon the tolls, revenues and subsidies mortgaged; the whole for the benefit of the holders of the bonds with respect to which it is executed.

Power to bind  
tolls and  
revenue.

**13.** Each issue of the bonds to be secured by the mortgage mentioned in the next preceding section, shall entitle the holders of each of such issues to rank *pari passu*; and a duplicate of such mortgage shall be filed in the office of the Secretary of State of Canada.

How bond  
holders to  
rank.

Agreement  
with another  
company.

**14.** The Company may enter into an agreement with the Canadian Pacific Railway Company, the Canadian Northern Railway Company, the Grand Trunk Railway Company of Canada, the Nepigon Railway Company incorporated by Act of the Legislature of the province of Ontario, or the Algoma Central and Hudson Bay Railway Company, for conveying or leasing to such company the railway of the Company, in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it—at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy—and that such agreement has also received the sanction of the Governor in Council.

Approval of  
shareholders  
and Governor  
in Council.

Notice of  
application  
for sanction.

Agreement to  
be filed with  
Secretary of  
State.

Time for  
construction  
limited.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties or electoral districts through which the railway of the Company runs and in which a newspaper is published.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be *prima facie* evidence of the requirements of this Act having been complied with.

**15.** If the construction of the railway is not commenced and fifteen per cent on the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not finished and put in operation within five years after the passing of this Act, the powers of construction granted by this Act or by *The Railway Act* shall cease and be null and void as respects so much of the railway as then remains uncompleted.



## 2 EDWARD VII.

### CHAP. 83.

#### An Act respecting the Niagara, St. Catharines and Toronto Railway Company.

[Assented to 15th May, 1902.]

WHEREAS the Niagara, St. Catharines and Toronto Rail- Preamble.  
way Company has, by its petition, prayed that it be  
enacted as hereinafter set forth, and it is expedient to grant  
the prayer of the said petition: Therefore His Majesty, by and 1899, c. 77.  
with the advice and consent of the Senate and House of Com-  
mons of Canada, enacts as follows:—

**1.** The Niagara, St. Catharines and Toronto Railway Com- Power to  
pany, hereinafter called "the Company," may acquire, hold and  
dispose of stock, bonds or other securities of the Niagara,  
St. Catharines and Toronto Navigation Company; and if  
the Company holds not less than three-fourths of all the  
capital stock of the said navigation company it may guar-  
antee the payment of bonds or other securities of the said com-  
pany: Provided that authority for such guarantee has been  
first given by resolution passed by two-thirds of the votes at a Approval of  
shareholders.  
special general meeting of the shareholders of the Niagara, St.  
Catharines and Toronto Railway Company duly called for the  
purpose of considering it,—at which meeting shareholders  
representing at least two-thirds in value of the stock are pre-  
sent or represented by proxy,—and provided, further, that the Amount  
limited.  
total amount of such bonds or other securities guaranteed by  
the Company at any time outstanding shall not exceed two  
hundred and fifty thousand dollars.

**2.** The time limited for the completion of the extension of Time for  
construction  
extended.  
the Company's line to a point in or near the city of Toronto  
by way of Hamilton is extended for three years from the  
passing of this Act, and the times limited for the commencement  
and completion of the extension to a point on the Niagara  
River at or near Fort Erie are extended for two years and five  
years respectively from the passing of this Act, and if the said  
extensions are not completed within the times so limited, the

powers of construction granted by the Company's Act of incorporation, or by this Act, shall be null and void with respect to so much of the said extensions as then remains uncompleted.

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## 2 EDWARD VII.

### CHAP. 84.

#### An Act to incorporate the Nipissing and Ottawa Railway Company.

*[Assented to 15th May, 1902.]*

WHEREAS a petition has been presented praying that it Preamble. be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. James Pearson, William Clark and James Herbert Denton, all of the city of Toronto, and John Hawthorne Taylor, of the township of York, in the county of York, and province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "The Nipissing and Ottawa Railway Company," hereinafter called "the Company." Incorporation. Corporate name.
2. The undertaking of the Company is declared to be a declaratory work for the general advantage of Canada.
3. The persons named in section 1 of this Act are constituted provisional directors of the Company. Provisional directors.
4. The capital stock of the Company shall be one million dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed. Capital stock.
5. The head office of the Company shall be in the city of Toronto. Head office.
6. The annual meeting of the shareholders shall be held on the first Tuesday in September in each year. Annual meeting.
7. At such meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose Election of directors.

choose five persons to be directors of the Company, one or more of whom may be paid directors.

Line of  
railway  
described.

**8.** The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point on South-east Bay at the east end of Lake Nipissing; thence north-easterly through the township of Ferris to a point on Trout Lake, and thence across Trout Lake through the townships of Phelps and French, and thence to a point on the Ottawa River, at or near the Opemicon River.

Power to  
build eleva-  
tors, docks,  
etc.

**9.** The Company may, in connection with its business and for the purposes of its undertaking, where its railway or any branch thereof touches on the said South-east Bay, or elsewhere touches on any navigable waters, acquire and hold land and water lots, and build, construct, own and operate wharfs, docks, warehouses and elevators, and steamships and other vessels for carrying passengers and freight, and may lease or mortgage collectively or separately the said lands, water lots, docks, wharfs, warehouses, elevators, steamships and other vessels, and may collect wharfage store charges, freight and other dues, earnings and incomings to be derived from the use of its property, steamships and other vessels, works and buildings, and in the carrying on of its business.

Waterpowers.

**10.** The Company may, in connection with its business and for the purposes of its undertaking, acquire and hold water powers and such lands adjacent thereto as are necessary in the development, operation and use of such powers and approaches thereto, and may erect all buildings and erections and construct all works, machinery and plant, necessary in the development and transmission of electricity for motive power, heating and lighting, and may use the same in the operation of the Company's elevators and works.

Electricity.

**11.** The Company may issue bonds, debentures or other securities to the extent of twenty-five thousand dollars per mile of the railway and branches, and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Bond issue  
limited.

**12.** The Company may enter into an agreement with the Canadian Pacific Railway Company, or the Grand Trunk Railway Company of Canada, for conveying or leasing to such company the railway of the Company, in whole or in part, or any property, rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such agreement has been first

approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties or electoral districts through which the railway of the Company runs, and in which a newspaper is published.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be *prima facie* evidence of the requirements of this Act having been complied with.

**13.** If the construction of the railway is not commenced and fifteen per cent on the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not finished and put in operation within five years after the passing of this Act, the powers of construction granted by this Act or by *The Railway Act* shall cease and be null and void as respects so much of the railway as then remains uncompleted.

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## 2 EDWARD VII.

### CHAP. 85.

#### An Act to incorporate the North Shore Power, Railway and Navigation Company.

*[Assented to 15th May, 1902.]*

WHEREAS the persons hereinafter named have, by their Preamble. petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. James Clarke and George Clarke, of the city of New Incorporation. York, in the United States, William Clarke, John Clarke and Thomas Meaney, all of the city of Toronto, in the province of Ontario, together with such persons as become shareholders in the Company, are incorporated under the name of "The North Corporate name. Shore Power, Railway and Navigation Company," hereinafter called "the Company."

2. The persons named in section 1 of this Act shall be the Provisional directors. first or provisional directors of the Company, and they shall hold their meetings at the city of Quebec, at such times as they determine, and the notice of such meetings shall be signed by the provisional directors calling the same.

2. All notices calling meetings of the provisional directors, Notices of meetings. directors or shareholders shall state the date and place of holding such meetings, and shall be mailed by registered letter to the address of each of the other provisional directors, directors or shareholders, as the case may be, not less than ten days previous to the date of such meeting, and the mailing of such letter shall be sufficient notice of such meeting.

3. The directors and provisional directors may act notwithstanding any vacancy in their number; provided that if the number falls below three they shall not, except for the purpose of filling vacancies, have power to act so long as the number is below the said minimum. A majority of the provisional directors shall be a quorum. Quorum of directors.

4. The provisional directors may forthwith open stock books, Powers of provisional directors. and procure subscriptions of stock for the undertaking, and receive

receive payments on account of stock subscribed and carry on the business of the Company.

Capital stock.

**3.** The capital stock of the Company shall be one million dollars, divided into shares of one hundred dollars each.

Increase of capital.

**2.** After the whole of the capital stock of the Company has been issued and fifty per cent thereof has been paid up, the capital stock may be increased, from time to time, to an amount not exceeding five million dollars, by resolution of the shareholders approved of by the votes of the holders of at least two-thirds of the issued stock of the Company present or represented by proxy at a special general meeting of the shareholders, duly called for the purpose of considering such resolution, and such increased capital stock shall be issued, and may be held, subject to the same conditions, and dealt with in the same manner, as the original capital stock of the Company.

Head office.

**4.** The head office of the Company shall be at the city of Quebec, in the province of Quebec, or at such other place in Canada as is, from time to time, determined by by-law.

First general meeting.

**5.** At any time after the passing of this Act the provisional directors or any three of them may call a general meeting of the shareholders of the Company, to be held in the city of Quebec, at such time as they determine, for the purpose of passing or confirming the by-laws of the Company, of electing directors and of considering and determining upon any other business specified in the notice calling such meeting.

Business of Company.  
Lumber.

**6.** The Company may, throughout Canada,—

(a.) carry on the business of lumberers, timber merchants and manufacturers of timber and lumber in all its branches, and all other business incident thereto or connected therewith;

(b.) carry on the business, in all its branches, of manufacturing pulp wood, pulp, paper and all other business incident thereto; and also the business of manufacturing and burning of bricks, tiles, drain pipes, terra cotta and other materials from clay; and also the business of general merchants and general contractors; and also the business of general manufacturers, millers, wharfingers, warehousemen, and may, for the purposes of its undertaking, construct, charter, acquire and navigate steam and other vessels between any port and place in Canada, and any other port or place in Canada or elsewhere;

(c.) subject to the consent of any municipality in which the Company seeks to exercise the powers conferred by this paragraph, produce, manufacture, supply and dispose of gas and electricity for the purpose of light, heat and motive power and any other purposes for which they may be used, and construct, maintain and operate works, poles and all other appliances necessary or useful for the production, sale and distribution of electricity and pneumatic power for the purposes of light, heat

Pulp and paper.

Bricks.

Merchants.  
Contractors.

Vessel owners.

Gas and electricity.

and power, and conduct, store, sell and supply electricity and pneumatic power, and with such pneumatic, electric or other conductors or devices, conduct, convey, furnish or receive such electricity or power to or from any person or corporation at any places in Canada;

(d.) lease or acquire timber berths, timber licenses, water Timber lands, powers, hydraulic properties, buildings, docks, wharfs, carts, vehicles, goods, wares, merchandise and other property, real Water powers, or personal, which are deemed necessary or useful in connection with any of the works or operations which the Company Merchandise. is authorized to carry on;

(e.) lease and acquire rights and privileges with respect to Fishing rights. fisheries and fishing in the waters of the St. Lawrence River and Gulf and streams emptying therein; take, cure, preserve, can and sell fish; erect, acquire and lease buildings and premises, fishways, slides and dams, and equip the same with plant, machinery, implements and boats requisite and necessary for the purposes of such fishing industry.

2. The Company may also, within the limits of the territory situated to the northward of the River St. Lawrence and eastward of the River Saguenay,—

(a.) erect, acquire and operate saw mills and factories of all Mills. kinds, grist mills, flour mills, woollen mills, cotton mills, paper mills and elevators, and buy, deal in and dispose of the products of the said mills and factories in any form, and acquire materials of all kinds necessary for the manufacture of such products;

(b.) carry on the business of farming and stock raising; Stock raising.

(c.) acquire and operate mines and mineral and mining Mining. rights, smelt, reduce, refine, amalgamate or otherwise manufacture and treat metals, minerals and ores, and dispose thereof, and generally carry on the business of manufacturing therefrom;

(d.) erect and operate blast furnaces, Bessemer and open Iron and hearth steel plants, rolling mills, foundries, bridge construction steel works. and machine shops; and carry on the business of engineers and contractors for the manufacture of iron and steel railway and highway bridges, ships, cars, buildings and other structures and for the manufacture and sale of all classes of iron and steel products;

(e.) manufacture calcium carbide and other chemicals, and Chemicals. erect such factories and works as are necessary for such purposes;

(f.) construct, acquire, use, maintain and operate canals, Canals. watercourses, raceways and water powers, and construct dams, sluices, conduits and buildings in connection with its undertaking.

7. Section 1 of chapter 37 of the statutes of 1899, being an 1899, c. 37. Act further to amend *The Railway Act*, shall apply to the Company.

Construction  
of roads, docks  
and bridges.

Vessels.

Telegraph and  
telephone  
lines.

Power to  
acquire  
similar  
businesses.

Patent rights.

Railway.

Power to  
acquire  
properties of  
Jas. Clarke.

**8.** The Company may construct or aid and subscribe towards the construction, acquisition and maintenance of roads, tramways, docks, piers, wharfs, viaducts, aqueducts, flumes, bridges, ditches and similar works; and construct, charter or employ vessels, roads and tramways for the purposes aforesaid and for transporting the products of the said mills, factories, mines and works to any place in Canada and elsewhere, and for bringing and conveying to the properties of the Company all materials required thereat; and the Company may also construct, operate and dispose of telegraph and telephone lines for the purpose of its undertakings only; and the Company may acquire any business within any of the objects of the Company, and lands, properties, privileges, rights, contracts, limits and liabilities appertaining thereto, and may let or sublet any property of the Company, and sell or otherwise dispose of any business, property or undertaking of the Company.

**9.** The Company may license, lease or acquire patent rights, letters patent of invention, processes and options to facilitate the carrying out of any of the objects of the Company, and may dispose thereof.

**10.** The Company may, for the purpose of any of its undertakings, or for the promotion thereof, construct and operate by steam, electricity or other power a railway of the gauge of four feet eight and one-half inches, from some point or points on the St. Lawrence River, to the works and buildings of the Company on the River Ste. Marguerite, but not exceeding ten miles in length, and may also construct and operate all such railway sidings, tramways, switches or spur lines as may be necessary to connect any property of the Company with its factories and mills or with the line of any railway company, and may also construct all stations, round houses, turntables and workshops necessary for the operation of the said railway.

**11.** The Company may purchase the properties, rights, water powers and privileges acquired by James Clarke from the Government of the province of Quebec, situate in the canton Arnaud, county of Saguenay, either under two notarial deeds of sale bearing date respectively the twenty-eighth day of August, one thousand nine hundred and one, and the twenty-seventh day of January, one thousand nine hundred and two, or under letters patent, and may pay the price thereof wholly or partly in cash, or wholly or partly in fully paid-up or partly paid-up shares of the capital stock of the Company, or wholly or partly in bonds or debentures of the Company or otherwise, and as a condition of such purchase or acquisition may undertake, guarantee and assume the obligations and conditions placed upon the said James Clarke in the said deeds of sale.

Issue of paid  
up shares.

**12.** The directors may, by virtue of a valid agreement, a copy whereof shall be filed with the Secretary of State, issue

as paid-up stock shares of the capital stock of the Company in payment for all or any of the businesses, franchises, undertakings, rights, powers, privileges, letters patent, inventions, real estate, stocks, assets and other properties which the Company may lawfully acquire by this Act or by law, and may, for such considerations, allot and hand over such shares to any person, including its shareholders or its directors ; and any such issue or allotment of stock shall be binding upon the Company and such stock shall not be assessable for calls nor shall the holder thereof be liable in any way thereon ; or the Company may pay for the same wholly or partly in paid-up shares or wholly or partly in debentures, as may be agreed upon ; provided that any allotment and issue of stock under <sup>Proviso.</sup> authority of this section shall be approved by the holders of at least two-thirds in value of the stock of the Company, previously issued and held at the date of such issue or allotment.

**13.** The directors may, when authorized by a by-law for <sup>Borrowing powers.</sup> that purpose, approved of by the votes of holders of at least two-thirds in value of the issued stock of the Company, present or represented by proxy at a special general meeting called for considering such by-law, borrow, from time to time, such sums of money, not exceeding the amount of the capital stock issued at the date of any such by-law as paid-up or unassessable capital stock of the Company, as the shareholders deem necessary, and may, if thought advisable, issue bonds and debentures therefor, in sums of not less than one hundred dollars each, at such rate of interest and payable at such time and place and secured in such manner by a mortgage or otherwise, upon the whole or any portion of the property and undertakings and franchises of the Company as may be prescribed by such by-law or decided upon by the directors under the authority thereof, and the Company may make such provisions respecting the redemption of such securities as are deemed proper ; and the directors, upon such authorization, may, without issuing debentures, secure the repayment of such loans by mortgage, hypothec or pledge upon such properties or assets of the Company as shall be indicated by the directors.

2. In addition to the amounts which the Company, from time to time, may borrow, secured or unsecured as aforesaid, the Company may borrow on current account or on promissory notes or other negotiable instruments, such further sums as the directors decide are required for the operations of the Company or for the acquisition of its properties or assets. <sup>Money borrowed on current account.</sup>

**14.** The Company may receive, as aid in the construction or carrying on of any of the works or operations authorized by this Act, any lands, properties, franchises, sums of money or debentures, and may alienate and dispose thereof in promoting any of the affairs, businesses and operations of the Company ; and the Company may receive exemptions from taxation and <sup>Aid to Company.</sup>

all other exemptions granted by municipal or other authority by by-law, resolution or otherwise which may by law be granted by such municipality.

Aid towards  
construction  
of railway.

**15.** The Company may receive, take and hold all voluntary grants and donations of lands or other property, or any bonus of money or debenture, or other benefit of any sort, made to it for the purpose of aiding in the construction, maintenance and accommodation of the said railway, but the same shall be held and used for the purpose of such grants or donations only.

1888, c. 29.

**16.** *The Railway Act*, except as hereinbefore provided, and except as to its railway undertaking, shall not apply to the Company.

R.S.C., c. 118.

**17.** Section 18 of *The Companies Clauses Act* shall not apply to the Company.

Declaratory.

**18.** The works and undertakings of the Company are hereby declared to be for the general advantage of Canada.

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most Excellent Majesty.



## 2 EDWARD VII.

### CHAP. 86.

#### An Act respecting the Ontario Power Company of Niagara Falls.

[Assented to 15th May, 1902.]

WHEREAS the Ontario Power Company of Niagara Falls Preamble.  
has, by its petition, prayed that it be enacted as herein-  
after set forth, and it is expedient to grant the prayer of the 1887, c. 120 ;  
said petition : Therefore His Majesty, by and with the advice 1891, c. 126 ;  
and consent of the Senate and House of Commons of Canada, 1893, c. 89 ;  
enacts as follows :— 1899, c. 105 ;  
1900, c. 113.

**1.** The directors of the Ontario Power Company of Niagara Falls, hereinafter called "the Company," may, by by-law, divide the capital stock of the Company into shares of one hundred dollars each, the present shares being fifty dollars each, and may, by such by-law, provide for the getting in and cancellation of existing stock certificates and issuing in lieu thereof new certificates to an equal amount in shares of one hundred dollars each, and may provide a mode of dealing with odd shares in cases where a shareholder holds a number of existing shares which cannot be evenly converted into one hundred dollar shares: Provided, that such by-law shall not take effect unless and until at a special general meeting of the shareholders of the Company, duly called for the purpose of considering it, such by-law has been sanctioned by a vote of shareholders, present or represented by proxy and holding not less than two-thirds of the shares represented at such meeting.

**2.** The directors may make regulations respecting the form of stock certificates and the transfer of stock in the capital of the Company.

**3.** The works referred to in sections 27 and 29 of the Company's Act of incorporation, chapter 120 of the statutes of 1887, shall be deemed to include all works authorized by the said Act and the amendments thereto, including lines, cables and other appliances for the transmission and supply to manufacturers, corporations or persons of hydraulic, electric or other

Approval of shareholders.

power generated at the works of the Company for use in manufacturing or any other business or purpose; and wherever in the said sections the canal or tunnel authorized to be constructed by the Company is mentioned or referred to such mention or reference shall be deemed to include all the said works so authorized by the said Act and its amendments.

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## 2 EDWARD VII.

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### CHAP. 87.

#### An Act respecting the Orford Mountain Railway Company.

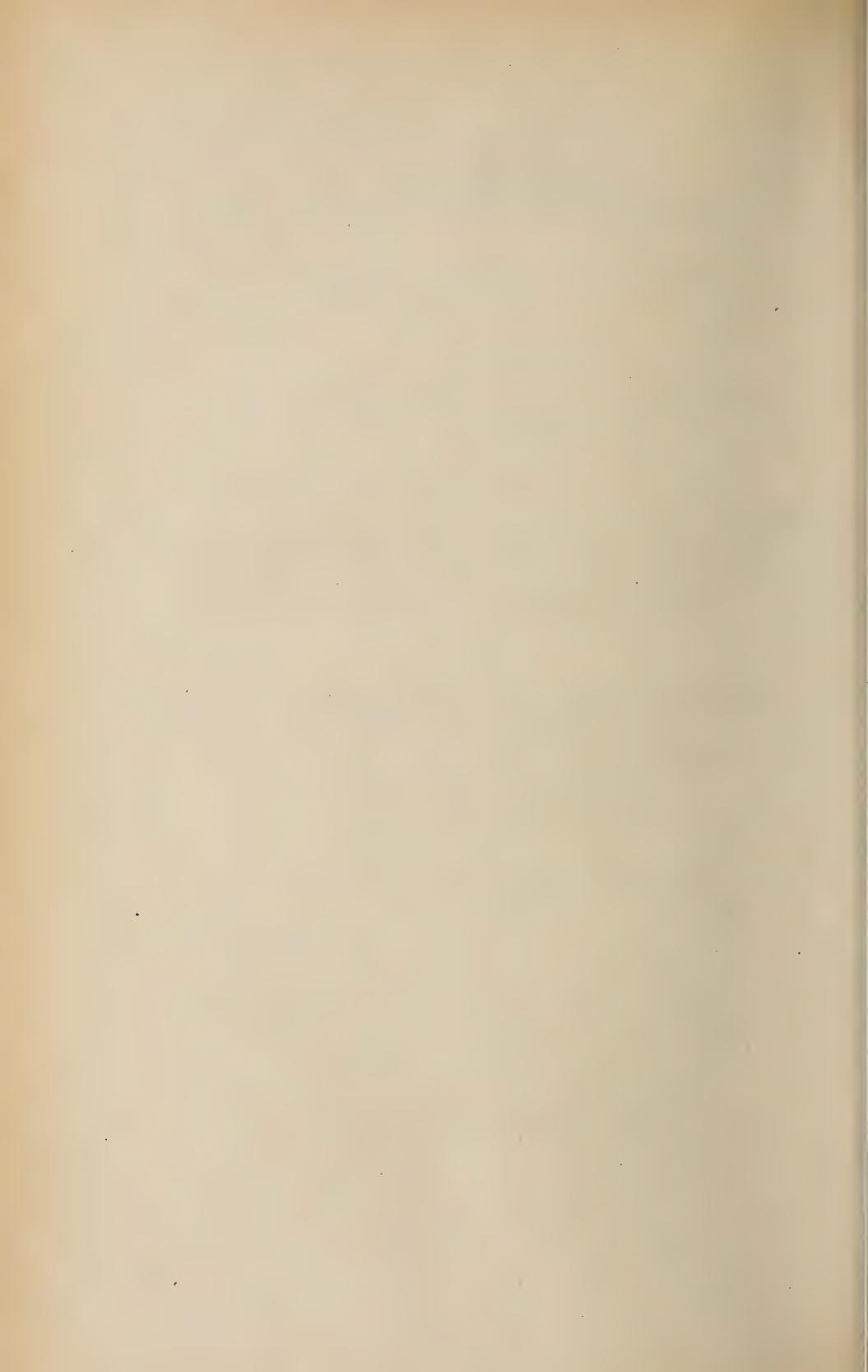
[*Assented to 15th May, 1902.*]

WHEREAS the Orford Mountain Railway Company has, Preamble. by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said 1901, c. 79. petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Orford Mountain Railway Company may construct and complete the railway and branches which by its Act of incorporation it was authorized to construct, within five years from the passing of this Act; provided that as to so much thereof as is not constructed within that period the powers of the said Company shall cease and determine. Time for construction extended.

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## 2 EDWARD VII.

### CHAP. 88.

#### An Act respecting the Ottawa, Brockville and St. Lawrence Railway Company.

[Assented to 15th May, 1902.]

WHEREAS the Ottawa, Brockville and St. Lawrence Rail- Preamble.  
way Company has, by its petition, prayed that it be  
enacted as hereinafter set forth, and it is expedient to grant 1900, c. 71.  
the prayer of the said petition: Therefore His Majesty, by  
and with the advice and consent of the Senate and House of  
Commons of Canada, enacts as follows:—

1. Section 1 of chapter 71 of the statutes of 1900, Section 1  
incorporating the Ottawa, Brockville and St. Lawrence Rail-  
way Company is amended by striking out of the said section the  
words "Daniel Derbyshire and Daniel Downey, of the town  
of Brockville." amended. Incorpora-  
tion.
2. The time limited for commencing the railway of the said company and for the expenditure of fifteen per cent of the capital stock is extended for two years, and the time limited for completing the said railway is extended for five years from the seventh day of July, one thousand nine hundred and two, and if the said railway is not commenced and such expenditure is not so made, or if the said railway is not completed, within the said respective periods, the powers of construction conferred upon the Company by Parliament shall cease and be null and void with respect to so much of the said railway as then remains uncompleted. Time for con-  
struction  
extended.

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most Excellent Majesty.





## 2 EDWARD VII.

### CHAP. 89.

#### An Act to amend the Acts relating to the Ottawa Northern and Western Railway.

[Assented to 15th May, 1902.]

WHEREAS the Ottawa Northern and Western Railway Preamble. Company has, by its petition, prayed that it be enacted 1894, c. 87 ; 1896 (1 Sess.) c. 31. as hereinafter set forth, and it is expedient to grant the 1897, c. 68 ; 1898, c. 112 ; 1899, c. 83 ; 1901, c. 80. prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. In addition to the present powers of the Company and notwithstanding anything contained in *The Railway Act*, the Company may purchase and hold the whole or any part of the capital stock, bonds or debentures of the Pontiac Pacific Junction Railway Company, the Hull Electric Company and the Ottawa Interprovincial Bridge Company. Power to purchase stock and bonds of other companies. 1888, c. 29, s. 276.

2. The acquisition of such capital stock, bonds or debentures shall be deemed an acquisition of right of way, plant, rolling stock, or materials within the meaning of section 39 of *The Railway Act*. May be paid for with paid-up stock.

2. The capital stock of the Company is hereby declared to be six million dollars. Amount of stock.

3. The Company may define, by deed executed between the Company and any person or corporation interested, the respective rights to be enjoyed by holders of first mortgage bonds, second mortgage bonds, income bonds or preferred stock, both as between such holders themselves and as between such holders and the Company; and by such agreement the Company may limit the right of the Company to issue more than a specified amount of any such bonds or preferred stock. Such agreement shall be deposited in the office of the Secretary of State, and, from and after the time of such deposit, the right of the Company to issue any greater amount of first mortgage or other bonds or of preferred stock than that specified in such agreement. Powers to define respective rights of holders of securities. Deposit of agreement. Effect.

ment shall cease and terminate, notwithstanding anything in any statute relating to the Company to the contrary.

Power to sell or lease to other companies.

Authority to other companies to acquire.

Agreements for running rights or operation.

Approval of shareholders and Governor in Council.

Notice of application for approval.

Agreement to be filed with Secretary of State.

**4.** The Company may sell or lease the whole or part of its railway, rolling stock, or other assets of any kind whatsoever, to the Ottawa, Arnprior and Parry Sound Railway Company, the Grand Trunk Railway Company of Canada, the Ottawa and New York Railway Company, the Canadian Pacific Railway Company, the Canadian Northern Railway Company, or the Great Northern Railway Company of Canada, each of which companies is hereby authorized to acquire the same; or the Company may make agreements with any of the said companies for running rights or for the operation of its railway, or may enter into like arrangements with any other company authorized by Parliament to make the same: Provided that each such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it; at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that each such agreement has also received the sanction of the Governor in Council.

**2.** Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties through which the railway of the Company runs, and in which a newspaper is published.

**3.** A duplicate of each such agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be *prima facie* evidence of the requirements of this Act having been complied with.

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## 2 EDWARD VII.

### CHAP. 90.

#### An Act to incorporate the Pacific Northern and Omineca Railway Company.

*[Assented to 15th May, 1902.]*

WHEREAS a petition has been presented praying that it be *Preamble.* enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** John Irving, Harry F. Bullen and Francis Brooke *Incorporation.* Gregory, all of the city of Victoria, in the province of British Columbia, together with such persons as become shareholders in the company, are incorporated under the name of "The *Corporate* Pacific Northern and Omineca Railway Company," hereinafter *name.* called "the Company."

**2.** The persons named in section 1 of this Act are constituted *Provisional* *directors.* provisional directors of the Company.

**3.** The capital stock of the Company shall be one million *Capital stock.* dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed.

**4.** The head office of the Company shall be in the city of *Head office.* Victoria, or at such other place in the province of British Columbia as the Company determines by by-law.

**5.** The annual meeting of the shareholders shall be held on *Annual* *meeting.* the third Wednesday in September in each year.

**6.** At such meeting the subscribers for the capital stock *Election of* assembled, who have paid all calls due on their shares, shall *directors.* choose five persons to be directors of the Company, one or more of whom may be paid directors.

Line of  
railway  
described.

**7.** The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point on Kitimat Inlet in the coast district of the province of British Columbia, and thence by the most convenient route to Hazelton on the Skeena River in the Cassiar district, thence by the most convenient route to a point on the northern boundary of British Columbia, at or near Teslin Lake or Atlin Lake, or both; also from Hazelton by the most feasible route via the Skeena, Babine, Driftwood, Omineca and Finlay Rivers to Peace River Pass, thence easterly to the eastern boundary of the said province, thence to a point at or near Edmonton, in the North-west Territories.

Powers of  
Company.

**8.** The Company may, in connection with its business and for the purposes of its railway undertaking,—

Docks, etc.

(a.) erect and maintain docks, dock yards, wharfs, slips and piers at any point on or in connection with its railway and all the termini thereof on navigable waters for the convenience and accommodation of vessels and elevators;

Elevators.  
Vessels.

(b.) acquire and work elevators;

(c.) acquire and run steam and other vessels for cargo and passengers upon any navigable water which its railway may connect with;

Electricity.

(d.) acquire and utilize water and steam power for the purpose of compressing air or generating electricity for lighting, heating or motor purposes, and may dispose of surplus power generated by the Company's works and not required for the undertaking of the Company;

Patent rights,  
etc.

(e.) acquire exclusive rights in letters patent, franchises or patent rights and again dispose thereof.

Telegraph and  
telephone  
lines.

**9.** The Company may construct and maintain a telegraph line and telephone lines upon and along the whole length of its railway and branches, and may establish offices for the transmission of messages for the public; and, for the purpose of erecting and working such telegraph and telephone lines, the Company may enter into a contract with any other company.

Arrangements  
with telegraph  
and telephone  
companies.

2. The Company may enter into arrangements with any telegraph or telephone company for the exchange and transmission of messages, or for the working in whole or in part of the lines of the Company.

Rates to be  
approved.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for leasing or using the telegraphs or telephones of the Company, until such rates or charges have been approved of by the Governor in Council, and such rates and charges shall be subject to revision from time to time by the Governor in Council.

R.S.C., c. 132.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company.

**10.** The Company may issue bonds, debentures or other <sup>Bond issue.</sup> securities to the extent of thirty-five thousand dollars per mile of the railway and branches, and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

**11.** The Company may from time to time receive by grant <sup>Aid to</sup> <sub>Company.</sub> from any government or person as aid in the construction of the railway, vessels and works provided for in this Act, any real or personal property, sums of money, debentures, or subsidies, either as gifts by way of bonus, or guarantees, or in payment, or as subventions for services, and may dispose thereof, and may alienate such property as is not required for the undertaking of the Company.

**12.** If the construction of the railway is not commenced <sup>Time for</sup> <sub>construction</sub> limited. and fifteen per cent of the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not finished and put in operation within five years after the passing of this Act, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

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## 2 EDWARD VII.

### CHAP. 91.

An Act respecting the Port Dover, Brantford, Berlin and Goderich Railway Company, and to change its name to "The Grand Valley Railway Company."

[Assented to 15th May, 1902.]

WHEREAS the Port Dover, Brantford, Berlin and Goderich Preamble. Railway Company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The name of the Port Dover, Brantford, Berlin and Goderich Railway Company, hereinafter called "the Company," is changed to "The Grand Valley Railway Company," but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any wise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

**2.** Section 4 of chapter 73 of the statutes of 1900 is repealed, 1900, c. 73. and the following is substituted therefor:— new s. 4.

**4.** The capital stock of the Company shall be one million dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed."

**3.** If the construction of the railway is not commenced an fifteen per cent of the amount of the capital stock is not expended thereon within two years from the passing of this Act, or if the railway is not finished and put in operation within five years from the passing of this Act, then the powers grant- 1900, c. 73. Time for construction extended.

ed by the Act authorizing the construction of the railway and by this Act shall cease and be null and void with respect to so much of the railway as then remains uncompleted.

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## 2 EDWARD VII.

### CHAP. 92.

#### An Act to incorporate the Board of the Presbyterian College, Halifax.

*[Assented to 15th May, 1902.]*

WHEREAS the board of the Presbyterian College, Halifax, has, by its petition, represented that by chapter 68 of the statutes of the province of Nova Scotia, of 1861, N.S., 1861, c. 68, intituled: "An Act to incorporate the Board of Education of the Presbyterian Church of the Lower Provinces of British North America," certain persons therein named were created a body corporate, subject to the control of the synod of the Lower Provinces of British North America, for the purposes mentioned in the said Act, and among others to hold, manage and administer all property, real and personal, trust funds, moneys, securities, bequests, devises, incomes, goods, chattels and effects of, belonging to, or held by the educational board of the Presbyterian Church of Nova Scotia, and the college and academy board of the Free Church of Nova Scotia, or trustees for such corporate bodies, or either of them, for the purpose of promoting classical, literary and theological education in institutions connected with and under the control of the Presbyterian Church of the Lower Provinces of British North America, and also to receive, hold and dispose of, in accordance with the will of the donors, and subject to the direction of the synod, any bequests or contributions in bonds, moneys or other securities, made for the promotion of any of the schemes or religious objects of the Presbyterian Church of the Lower Provinces of British North America; and whereas, in the year one thousand eight hundred and seventy-five, the provinces of Ontario, Quebec, Nova Scotia, New Brunswick, Prince Edward Island and Manitoba passed the following Acts, viz.: Ontario, 1875, chapter 75; Quebec, 1875, chapter 62; Nova Scotia, 1875, chapters 99 and 100; New Brunswick, 1875, chapter 99; Prince Edward Island, 1875, chapter 27; and Manitoba, 1875, chapter 47, respectively, in all of which said Acts provision was made for the union of the following churches, namely: the Canada Presbyterian Church, the Presbyterian Church of Canada in connection with the

Ont., 1875,  
c. 75;  
Que., 1875,  
c. 62;  
N.S., 1875,  
cc. 99, 100;  
N.B., 1875,  
c. 99;  
P.E.I., 1875,  
c. 27;  
Man., 1875,  
c. 47.

N.S., 1875,  
c. 100.

N.S., 1879,  
c. 82.

Church of Scotland, the Presbyterian Church of the Maritime Provinces in connection with the Church of Scotland, and the Presbyterian Church of the Lower Provinces of British North America, under the title of "The Presbyterian Church in Canada;" and whereas, by section 6, of chapter 100, of the statutes of the province of Nova Scotia, of 1875, it was enacted that all the funds and property in the possession or under the control of the board of education of the Presbyterian Church of the Lower Provinces shall, until the general assembly otherwise provide for the management thereof, remain in the charge of such board and its officers as heretofore, and all their acts shall be as valid as if this Act had not passed; and whereas, by chapter 82 of the statutes of the province of Nova Scotia, of 1879, the said chapter 68 of the statutes of the province of Nova Scotia, of 1861, was amended, and the name of "The Board of Education of the Presbyterian Church of the lower provinces of British North America," thereby changed to "The Board of the Presbyterian College, Halifax;" and whereas, by chapter 82 of the statutes of the province of Nova Scotia, of 1879, it was further provided that the general assembly of the Presbyterian Church in Canada should have power to remove or displace any members of such board, and to substitute the names of any persons to fill their places, and to add to or reduce the number of said board, and all the property, real and personal, powers and authority of the said the board of education of the Presbyterian Church of the Lower Provinces of British North America, were absolutely vested in the said board of the Presbyterian College, Halifax; and whereas, since the year one thousand eight hundred and seventy-nine the said board of the Presbyterian College, Halifax, has continued to hold, manage, invest and administer all property, real and personal, funds, securities, moneys, bequests, devises, incomes, goods, chattels and effects so vested in it by the said chapters 68 and 82 of the statutes of the province of Nova Scotia, of 1861 and 1879, respectively, and has also held, managed, invested and administered all property, real and personal, funds, securities, moneys, bequests and devises given or devised to said board since the year one thousand eight hundred and seventy-nine, for the schemes or religious and educational objects of the Presbyterian Church in Canada, eastern division; and whereas, in the year one thousand nine hundred, the said board and the synod of the Maritime Provinces, comprising the provinces of Nova Scotia, New Brunswick and Prince Edward Island, passed certain resolutions with regard to the management and administration of property, funds and securities now held by the said board of the Presbyterian College, Halifax, and also a resolution authorizing that the necessary legislation be obtained to give effect thereto; and whereas, the general assembly of the Presbyterian Church in Canada, at its session in June, one thousand nine hundred and one, approved and ratified the said

resolutions of board and synod ; and whereas, it is desirable, in order to give effect to said resolutions, and for the better protection, security, and administration of the property, securities, funds, moneys, bequests, devises, incomes, goods, chattels and effects now held by the said board of the Presbyterian College, Halifax, as at present incorporated, that legislation in that behalf be passed by the Parliament of Canada : Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

**1.** The Reverend Thomas Sedgwick, Allan Pollok, John Currie, Daniel M. Gordon, John MacMillan, John Forrest, Doctors of Divinity ; and the Reverend E. A. McCurdy, Robert Falconer, L. G. McNeil, James S. Carruthers, H. W. Henderson, Donald Fraser, E. D. Miller, A. McLean Sinclair, Thomas Stewart, Ralph G. Strathie, Hector K. McLean, John S. Sutherland, James M. Fisher, Anderson Rogers, Alfred B. Dickie, Angus McMillan, John F. Forbes, George Miller, Arthur Silver Morton, Thomas Cumming and Robert Murray ; and John Stewart, Alexander Kennedy, James D. McGregor, the Honourable David McKeen, His Honour James G. Forbes, George Mitchell, James C. Mackintosh, John F. Stairs, Hugh McKenzie, James Kennedy, R. H. Chase, James Walker and Robert Baxter, the present members of the board of the Presbyterian College, Halifax, as at present incorporated, are incorporated under the name of “The Board of the Presbyterian College, Halifax,” hereinafter called “the Board.”

Incorporation.

Corporate name.

**2.** The persons named in section 1 of this Act, and their successors in office as hereinafter appointed, shall constitute the members of the Board, and shall hold office subject to the will of the General Assembly of the Presbyterian Church in Canada ; and the said General Assembly may remove or displace any member of the Board, and substitute others in the place of those so removed by death, resignation or otherwise, and may add to or reduce the number of members of the Board ; provided that no person shall be appointed a member of the Board unless he is, at the time of his appointment, a member of the Presbyterian Church in Canada.

Members of Board.

**3. The Board may—**

(a.) receive, take over, hold, manage, invest and administer the property, real and personal, securities, moneys, funds, gifts, bequests, devises, incomes, goods, chattels and effects, of every kind and description, rights, powers, privileges, claims and choses in action, now held, possessed or enjoyed by, or at present under the management or control of, the Board of the Presbyterian College, Halifax, as hitherto incorporated, and adopt, enforce and reduce into possession any mortgage, bill, note or security for money now outstanding in favour of the

Powers of Board.

Property under control of previous board.

Securities.

said Board of the Presbyterian College, Halifax, as hitherto incorporated;

Trustees.

(b.) execute the office of, and act as, executors and trustees under any will, deed, conveyance or deed of trust, with respect to any gift or bequest in favour of, or for the benefit of, any fund, scheme or object of the Presbyterian Church in Canada, eastern division;

Property.

(c.) receive, take over, hold, invest and manage any real property or devises which may be given, entrusted or devised to the Board by any person, congregation, presbytery or firm or by the synod of the Maritime Provinces, or by the General Assembly of the Presbyterian Church in Canada, for or on behalf of any scheme or religious and educational object of the Presbyterian Church in Canada, eastern division;

Consolidated fund.

(d.) consolidate the capital funds of the Board into one fund, to be called "the consolidated fund," and apportion the interest arising therefrom annually to and among the schemes or objects of the Board (or the said Presbyterian Church in Canada, eastern division) in proportion to the amount of capital of each scheme or object in the said consolidated fund;

Investment of moneys.

(e.) invest moneys in its hands, or under its control, in any security in which private trustees may by law invest trust moneys, and in the public stock, funds or Government securities of Canada or any province thereof, or in any securities guaranteed by the United Kingdom or by Canada, or any of the said provinces, or in the bonds and debentures of any municipal corporation in any of the said provinces, or in such of its stocks, funds or securities as the Board deems expedient, provided, however, that the Board shall not in any case invest the moneys of any trust in securities prohibited by the trust;

Notes and cheques.

(f.) make, accept, endorse and execute promissory notes, bills of exchange, cheques and all other negotiable instruments necessary or incidental to the business and purposes of the Board;

Conveyances, etc., and how to be executed.

(g.) make and execute deeds, mortgages, bonds, leases, releases and all necessary conveyances, which documents shall be signed by the chairman and secretary of the Board for the time being, and, in the absence of the chairman, by the vice-chairman, and the corporate seal of the Board shall be affixed thereto.

Rules for management of corporation.

**4.** The Board may make by-laws, rules and orders concerning the powers, duties and functions of the secretary and agent and the good government of the Board and the income and property thereof, and the collection, administration, investment, application, control and management of the funds, securities and property held by the Board for and on behalf of the schemes and objects of the Presbyterian Church in Canada, eastern division, provided, however, that such by-laws, rules and orders shall be in force only when they have been submitted to and approved by the General Assembly of the Presbyterian Church in Canada.

**5.** The total value of the property, real and personal, which may be held by the Board shall not exceed one million dollars. Value of property which may be held.

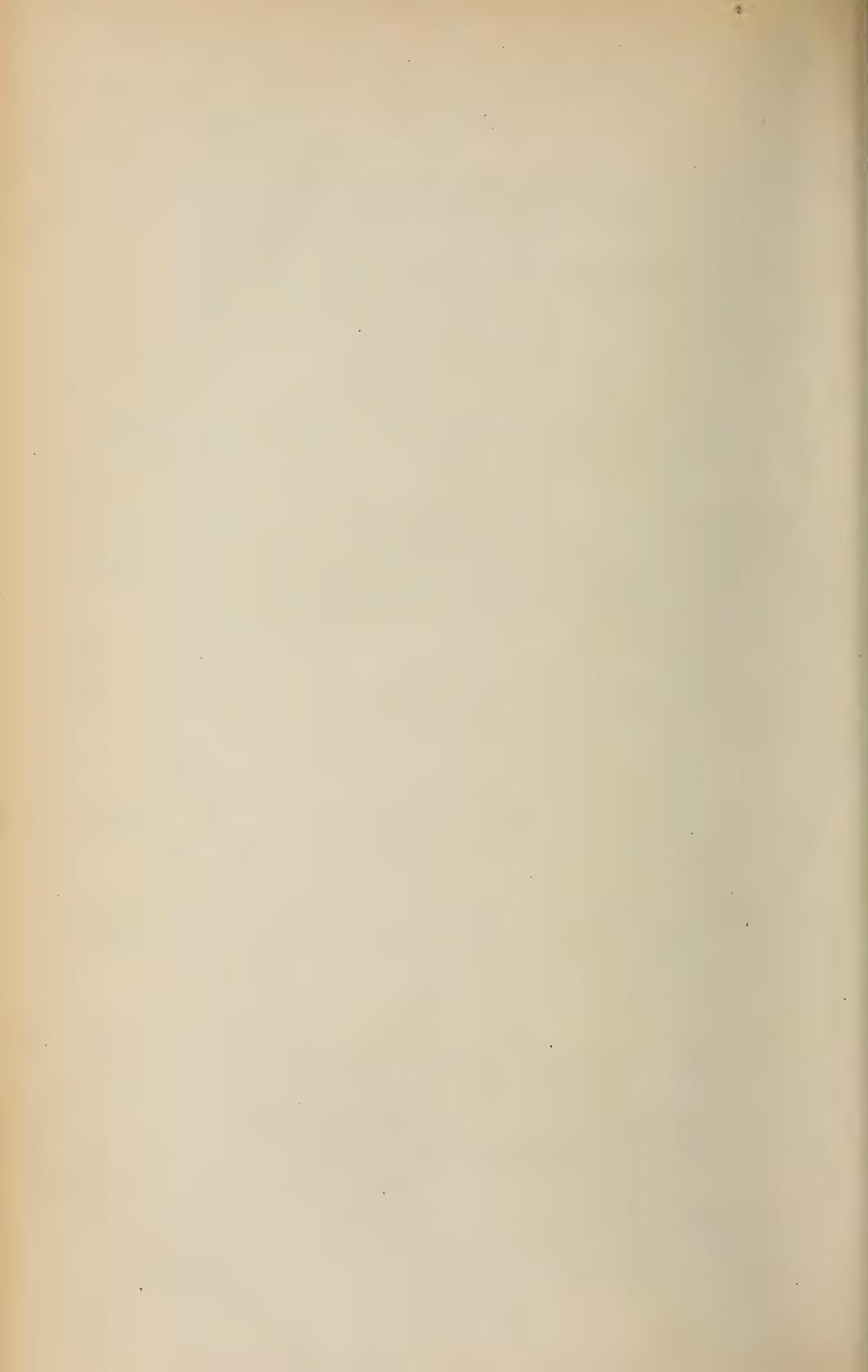
**6.** The said General Assembly may appoint the chairman and an officer to be styled the secretary and agent of the Board ; provided, that in the event of the death, resignation or removal from any cause of the chairman or the secretary and agent for the time being, at any time between the annual sessions of the said General Assembly, the Board may make an interim appointment of a chairman or secretary and agent, who shall have all the powers, duties and functions of the chairman and the secretary and agent. Chairman of Board.

**7.** No personal liability shall attach to any of the individual members of the Board for failure of any investment or security made by the Board. Members of Board not liable for investments.

**8.** The Board shall annually present a report to the said General Assembly, in which shall be set forth fully the various moneys, securities and property real and personal, held by the Board, and which shall also show the disposition made by it of the interest and income arising from all moneys, securities and properties. Annual report to General Assembly.

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## 2 EDWARD VII.

### CHAP. 93.

#### An Act respecting the Quebec and Lake Huron Railway Company.

[Assented to 15th May, 1902.]

WHEREAS the Quebec and Lake Huron Railway Company Preamble. has, by its petition, prayed that it be enacted as herein-after set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

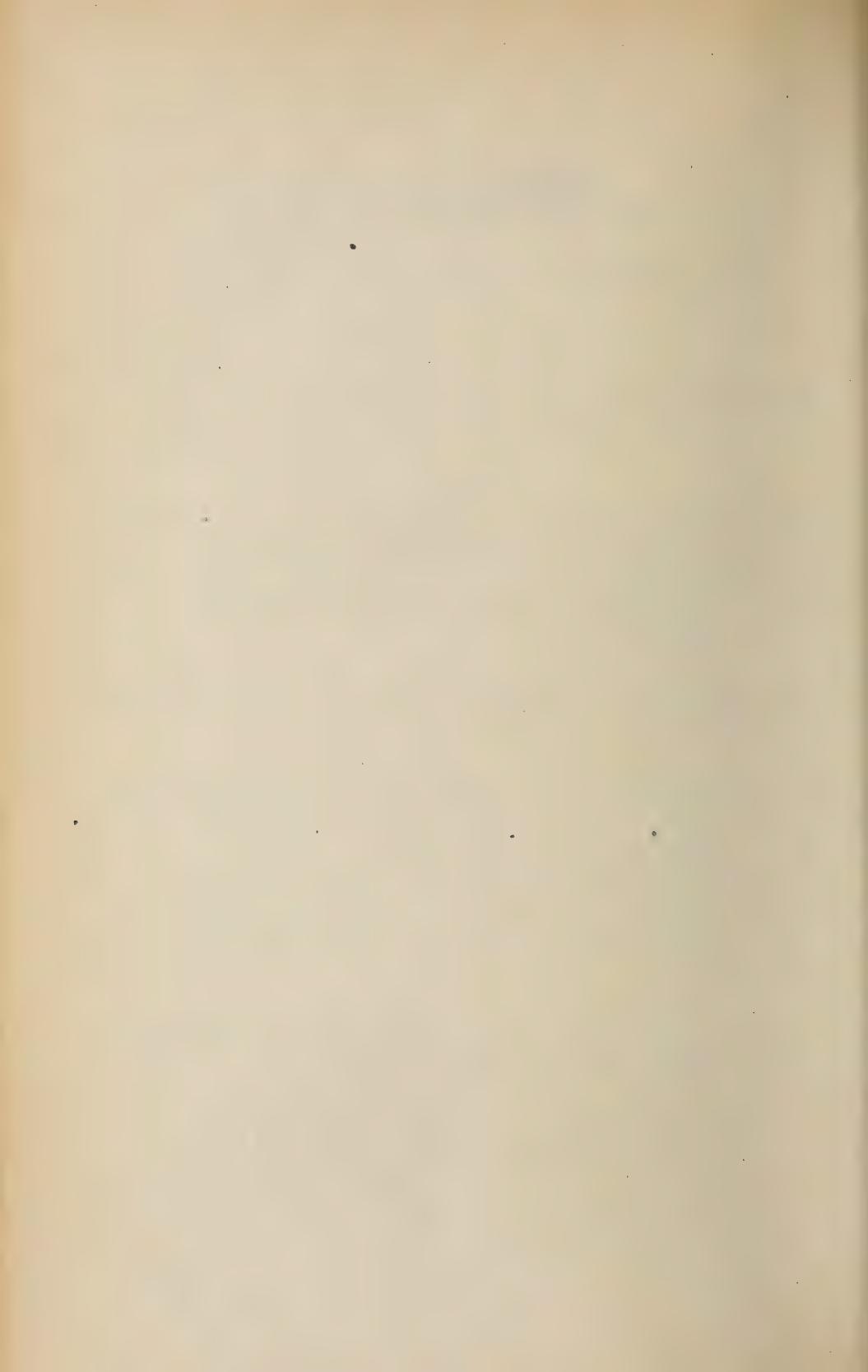
**1.** Section 10 of chapter 74 of the statutes of 1900, incorporating the Quebec and Lake Huron Railway Company, is 1900, c. 74,  
s. 10 repealed. repealed.

**2.** If the construction of the railway of the Quebec and Lake Huron Railway Company is not commenced and fifteen per cent of the amount of the capital stock is not expended thereon within two years from the passing of this Act, or if the railway is not finished and put in operation within five years from the passing of this Act, the powers conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

**3.** The Company may lay and set a third rail on its road, in order to have a gauge of six feet as well as the standard gauge of four feet eight and one-half inches.

Time for construction extended.  
Power to make a gauge of six feet.

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## 2 EDWARD VII.

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### CHAP. 94.

#### An Act respecting the Quebec Southern Railway Company.

[*Assented to 15th May, 1902.*]

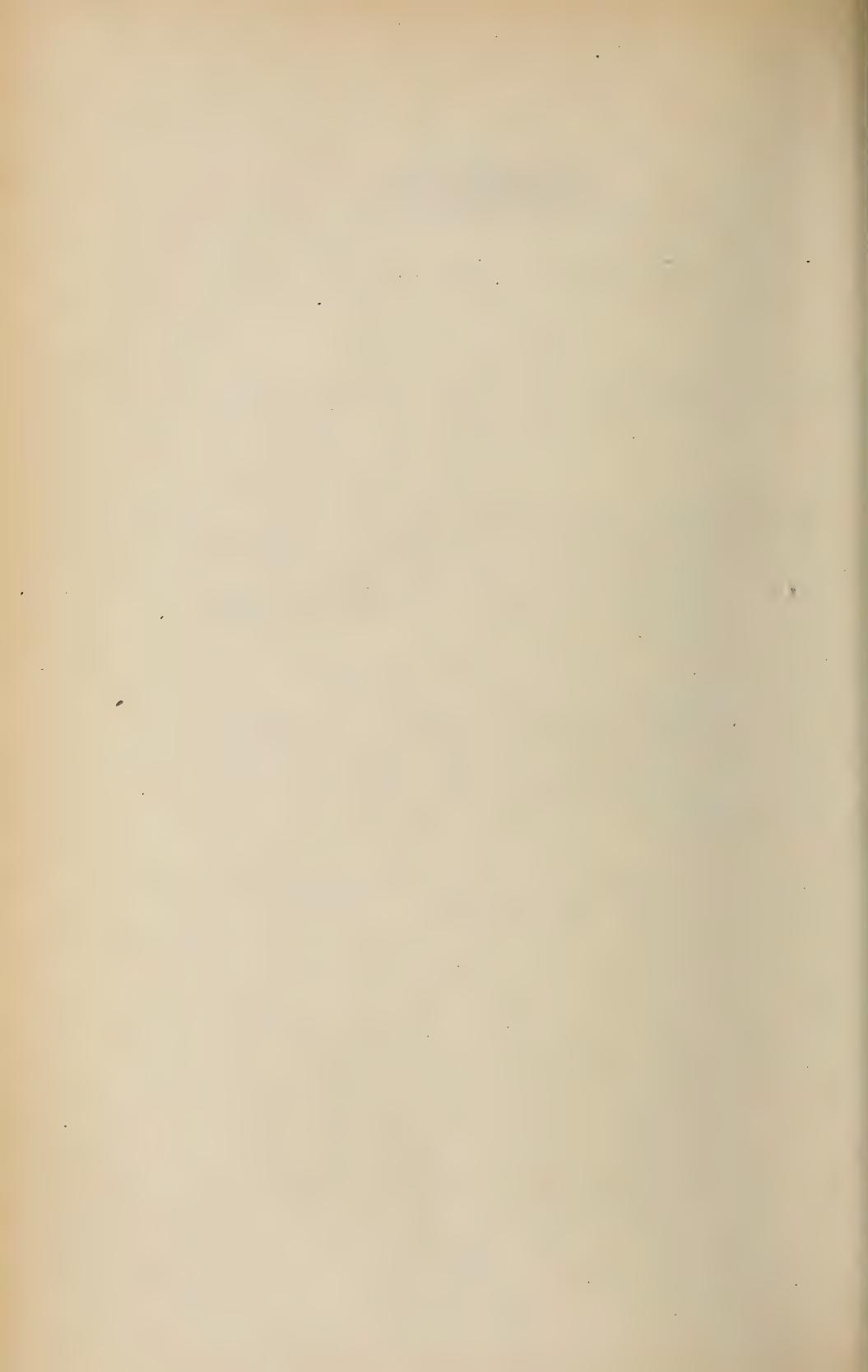
WHEREAS the Quebec Southern Railway Company has, by Preamble. its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Section 7 of chapter 76 of the statutes of 1900 is repealed, 1900, c. 76, and the following is substituted therefor:— new s. 7.

“**7.** At such meeting the subscribers for the capital stock Election of assembled, who have paid all calls due on their shares, shall directors. choose not less than five nor more than fifteen persons to be directors of the Company, one or more of whom may be paid directors.”

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## 2 EDWARD VII.

### CHAP. 95.

#### An Act respecting the River St. Clair Railway Bridge and Tunnel Company.

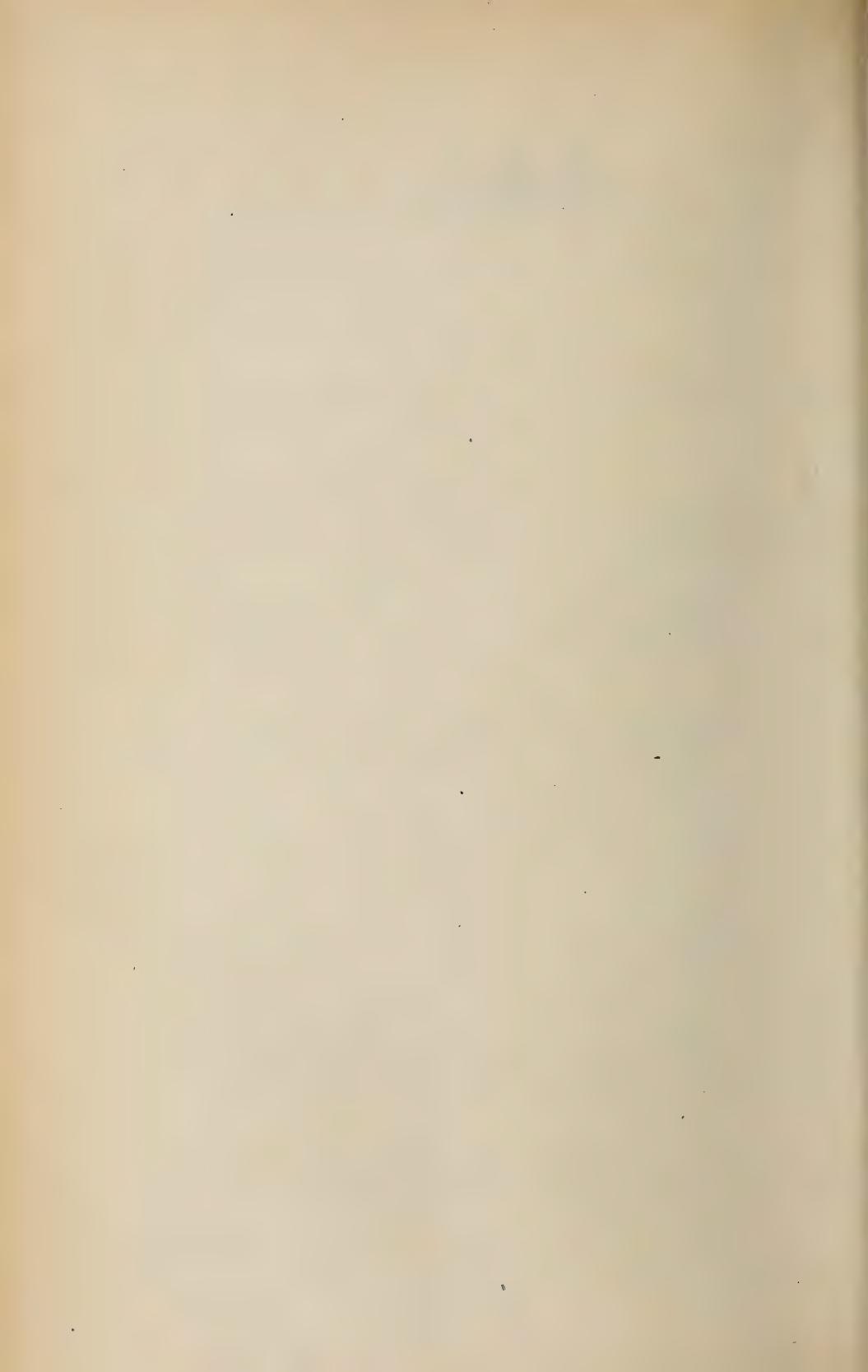
[Assented to 15th May, 1902.]

WHEREAS the Canada Southern Railway Company and Preamble. the provisional board of directors of the River St. Clair Railway Bridge and Tunnel Company have, by their petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The times limited for the commencement and completion of the works of the River St. Clair Railway Bridge and Tunnel Company are extended as follows: The works shall be commenced within two years after an Act of the Congress of the United States has been passed consenting to or approving of the bridging of the said river at the point mentioned in section 1 of chapter 117 of the statutes of 1900, or 1900, c. 117 within two years after the Executive of the United States, or other competent authority, has consented to and approved of such bridging, and the said works shall be completed within five years after such commencement, otherwise the powers granted by this Act shall cease and be null and void as respects so much of the undertaking as then remains uncompleted; provided, however, that if such consent is not obtained within Proviso. five years after the passing of this Act, the powers granted for the construction of the said works shall cease and be null and void.

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## 2 EDWARD VII.

### CHAP. 95.

An Act to incorporate the Ross Rifle Company, Limited.

[Assented to 15th May, 1902.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Sir Thomas Shaughnessy of the city of Montreal, Sir Charles Henry Augustus Frederick Lockhart Ross, the Honourable William Gibson, of Beamsville, the Honourable Frederick L. Beique, of the city of Montreal, Donald D. Mann, Frederick Nicholls and Wallace Nesbitt, all of the city of Toronto, together with such persons as become shareholders in the company, are incorporated under the name of "The Ross Rifle Company, Limited," hereinafter called "the Company." Incorporation.

2. The persons named in section 1 of this Act, together with such persons, not exceeding six, as they associate with them, shall be the provisional directors of the Company, a majority of whom shall be a quorum for the transaction of business, and they may forthwith open stock-books, procure subscriptions of stock for the undertaking, make calls on stock subscribed and receive payments thereon, and shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed, or otherwise received by them on account of the Company, and shall withdraw such moneys for the purposes of the Company only, and may do generally what is necessary to organize the Company. Provisional directors.

3. The head office of the Company shall be in the city of Ottawa, in the province of Ontario, or in such other place in Canada as the Company determines by by-law. Head office.

4. The capital stock of the Company shall be one million dollars, divided into shares of one hundred dollars each. Capital stock.

First meeting  
of sharehold-  
ers.

2. When and so soon as fifty thousand dollars of the capital stock have been subscribed and allotted, and ten per cent has been paid in thereon, the provisional directors shall call a meeting of the shareholders for the election of a board of directors, for the passing or ratifying of the by-laws of the Company, and of considering and determining upon any other business specified in the notice calling such meeting.

Business of  
Company.

5. The business of the Company shall be to manufacture, buy, sell and deal in guns, rifles, small arms, ammunition, ordnance, military and sporting supplies, machinery, tools, etc.

Powers.

6. The Company may, in connection with its business and for the purposes of its undertaking,—

Lands and  
works.

(a.) acquire lands and construct and maintain works and structures necessary or proper in connection with the carrying on of such business and all works incident thereto and dispose thereof;

Patent rights  
water powers  
and property.

(b.) acquire patent rights, letters patent of invention, processes, options, water powers and other rights and privileges, and real and personal property, and again dispose thereof;

Foundries and  
shops for ma-  
chinery sup-  
plies, etc.

(c.) erect and operate furnaces, foundries and machine shops, and undertake and execute contracts for machinery, buildings, ships, cars or other structures or works involving the supply or use of any machinery, and carry out any ancillary or other works in connection with or for the purposes of such contracts;

Iron and steel  
manufacture.

(d.) manufacture, sell and deal in all classes of iron and steel products generally;

Other  
businesses.

(e.) carry on any business which may be carried on in connection with the foregoing businesses, or which may be calculated to enhance the value of any of the Company's property or rights.

Preferred  
stock.

7. The directors may, by by-law approved at a special general meeting duly called for that purpose, or at any annual meeting of the Company, at which two-thirds in value of the shareholders of the Company who have paid all calls due upon their shares are present or represented by proxy, issue any portion of the capital stock as preferred stock, with such preferences or privileges as to dividends or otherwise as such by-law determines.

Issue of paid  
up stock.

8. The directors may make and issue, as paid up stock, shares of the capital stock of the Company in payment of and for any business, franchise, undertaking, property, right, power, privilege, letters patent or any interest therein, contract, real estate, stock, assets and other property, which it may lawfully acquire, and may allot and hand over such shares to any person or company, or to its shareholders, and the Company may pay for any such property, right, power,

privilege, letters patent or interest therein, contract, real estate or assets either wholly or partly in paid-up shares or wholly or partly in bonds or debentures as to their directors may seem proper.

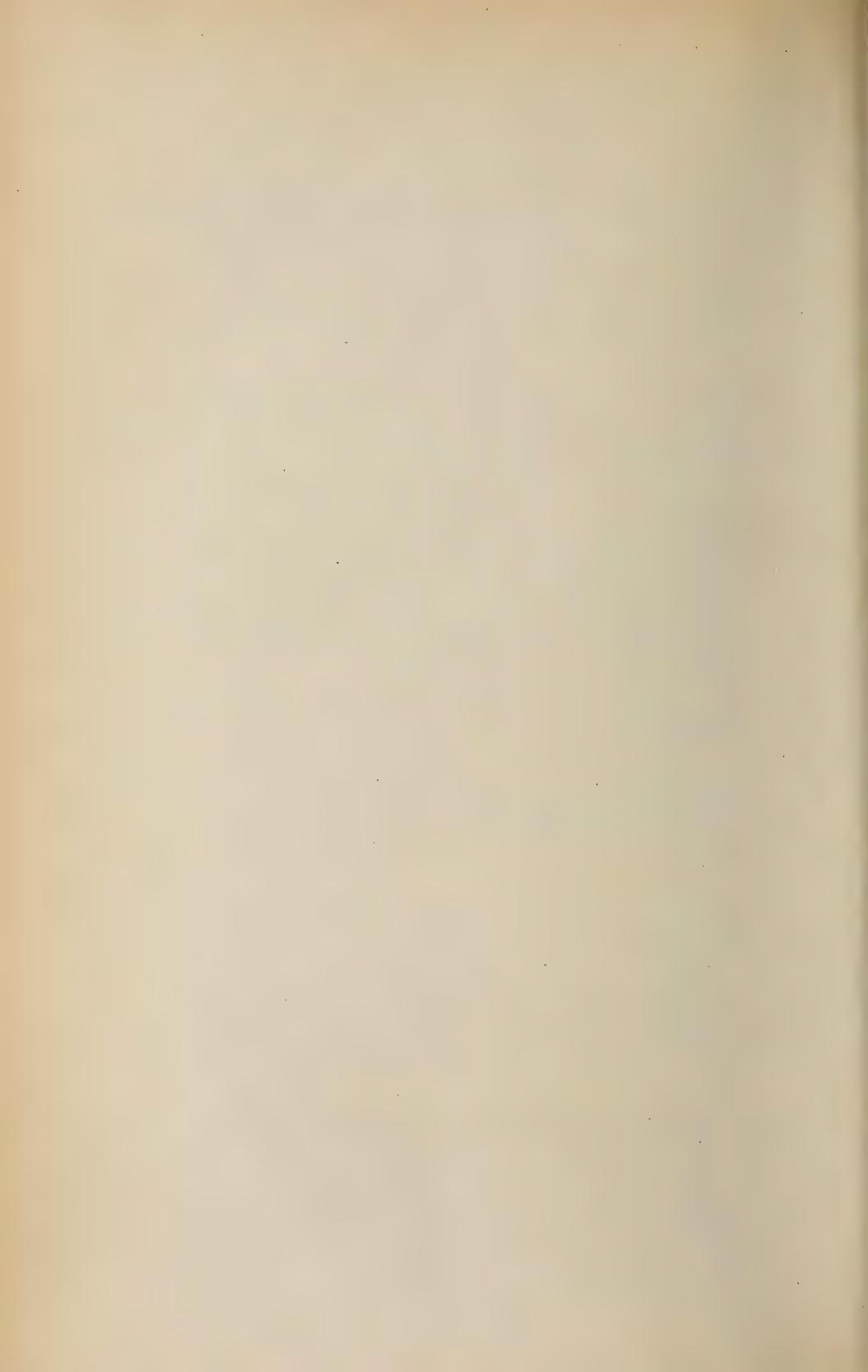
**9.** The directors, under the authority of a resolution of the shareholders passed at any special general meeting duly called for the purpose, or at any annual general meeting at which holders representing at least two-thirds in value of the issued capital stock of the Company are present or represented by proxy, may, from time to time, at their discretion borrow moneys for the purposes of the Company, and secure the repayment of such moneys in such manner and upon such terms and conditions as they see fit, and for such purpose may mortgage, pledge, hypothecate or charge the assets and property of the Company ; provided that the power of the Company to issue bonds, debentures or debenture stock, and to secure them upon the assets of the Company, shall cease and determine on the first day of January, one thousand nine hundred and five, and that after that date no further or additional bonds, debentures or debenture stock shall be issued.

**2.** The aggregate amounts borrowed shall not at any time be greater than seventy-five per cent of the actual paid up stock of the Company, but this limitation shall not apply to commercial paper discounted by the Company.

**10.** Section 18 of *The Companies Clauses Act* shall not apply to the Company. R.S.C., c. 118.

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## 2 EDWARD VII.

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### CHAP. 97.

#### An Act respecting the Royal Marine Insurance Company.

[Assented to 15th May, 1902.]

WHEREAS the Royal Marine Insurance Company, incorporated by chapter 118 of the statutes of 1900, owing to unavoidable difficulties incident to the perfecting of the financial and other arrangements for the organization and carrying on of the business for which the Company was incorporated, has been unable to complete its organization and commence active operations; and whereas the provisional directors of the said Company have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The time limited for the commencement of actual operations is hereby extended for a period of twelve months, from the passing of the present Act. Time for commencement of operations extended.
2. Section 14 of chapter 118 of the statutes of 1900 is hereby repealed. Present limit of time repealed.
3. Nothing in this Act shall affect any right, privilege, obligation or liability acquired, accrued or incurred before the date of the passing of this Act. Rights saved.

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## 2 EDWARD VII.

### CHAP. 98.

#### An Act respecting the St. Clair and Erie Ship Canal Company.

[Assented to 15th May, 1902.]

WHEREAS the St. Clair and Erie Ship Canal Company has, Preamble. by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The times limited for commencing and for finishing and putting in operation the canal of the St. Clair and Erie Ship Canal Company, are extended for two years and five years respectively from the passing of this Act, otherwise the powers of constructing the said canal shall cease and be null and void with respect to so much of the said canal as then remains uncompleted.

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## 2 EDWARD VII.

### CHAP. 99.

#### An Act to incorporate the St. Lawrence and Northern Railway Company.

[Assented to 15th May, 1902.]

WHEREAS a petition has been presented praying that it be Preamble enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. P. E. Lane, of the city of New York, in the state of New York, François Siméon Tourigny, L. Edmond Dufresne, Alexander Houlston and P. Avila Gouin, all of the city of Three Rivers, in the province of Quebec, together with such persons as, become shareholders in the company, are incorporated under the name of "The St. Lawrence and Northern Rail- way Company," hereinafter called "the Company." Incorporation. Corporate name.

2. The undertaking of the Company is declared to be a work for the general advantage of Canada. Declaratory.

3. The persons named in section 1 of this Act are constituted provisional directors of the Company. Provisional directors.

4. The capital stock of the Company shall be one million dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed. Capital stock.

5. The head office of the Company shall be in the city of Three Rivers, or in such other place in Canada as the Company from time to time determines by by-law. Head office.

6. The annual meeting of the shareholders shall be held on the second Monday in September in each year. Annual meeting.

7. At such meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall Election of directors. choose

choose not less than five nor more than nine persons to be directors of the Company, one or more of whom may be paid directors.

Line of railway described.

**8.** The Company may lay out and construct a railway or tramway of the gauge of four feet eight and one-half inches, and operate it by steam or electricity; such railway or tramway to begin at a point in the city of Three Rivers, in the county of Three Rivers and St. Maurice, and extend in a generally northerly direction to a point at or near La Tuque, in the county of Champlain, on the west shore of the river St. Maurice, and passing alongside of the said river as near as may be practicable, crossing the Great Northern Railway tracks at a point between the west line of the parish of St. Boniface de Shawenegan, in the county of Three Rivers and St. Maurice, and Shawenegan Junction in the parish of Ste. Flore, in the county of Champlain; with a branch extending from a point on the main line at or near Grand'Mère, in a generally north-westerly direction, to a point in the parish of St. Michel des Saints, in the county of Berthier.

Powers of Company.

**9.** The Company may, in connection with its undertaking and for the purpose of its business,—

(a.) construct and operate, or aid in and subscribe towards the construction, operation, maintenance and improvements of stage or wagon roads, tramways, docks, piers, viaducts, flumes, ditches and elevators, and acquire and own lands for the said purposes;

(b.) erect, use and manage or aid or subscribe towards works, machinery and plant for the generation, transmission and distribution of electric power and energy;

(c.) acquire and utilize water power and dispose thereof either directly or by converting it into electric or other power and energy;

(d.) carry on the business of carriers, forwarding and transportation agents, and all other business incident thereto or connected therewith, and also the business of wharfingers, shippers and vessel owners.

Construction of roads, works, etc.

**10.** The Company may construct and operate telegraph and telephone lines along the whole length of its railway and branches, and establish offices for the transmission of messages for the public and collect tolls for so doing; and for the purpose of operating such telegraph and telephone lines, the Company may enter into a contract with any other company, or may lease the Company's lines or any part thereof, and may connect its lines with the lines of any telegraph or telephone company.

Lands.

2. The Company may enter into an agreement with any telegraph or telephone company for the exchange and transmission of messages, or for the working in whole or in part of the lines of the Company.

Electricity.

Water power.

Transportation.

Telegraph and telephone lines.

Agreements with telegraph and telephone companies.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for leasing or using the telegraphs or telephones of the Company, until such rates or charges have been approved of by the Governor in Council, and such rates and charges shall be subject to revision, from time to time, by the Governor in Council.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company.

11. The Company may receive by grant from any government or person, in aid of the construction, purchase, equipment or maintenance of any of its works, any Crown lands, real or personal estate or property, bonuses, debentures or subsidies, or securities for money or the guarantee of the bonds of the Company, and may dispose of such property, other than such of it as is acquired for railway purposes.

12. The Company may, under the authority of a resolution passed by the ordinary shareholders at a special general meeting duly called for that purpose, representing at least three-fourths in value of the shareholders of the Company, issue any portion of its capital stock as preference stock, and such preference stock shall have such preference and priority, as respects dividends and otherwise, over ordinary stock as may be declared by the resolution.

2. Holders of shares of such preference stock shall be shareholders within the meaning of this Act; provided, however that, in respect of dividends and otherwise, they shall, as against the ordinary shareholders, be entitled to the preference and rights given by such resolution.

3. Nothing in this section contained, or done in pursuance thereof, shall affect or impair the rights of creditors of the Company.

13. The Company may issue bonds, debentures or other securities to the extent of twenty-five thousand dollars per mile of the railway and branches, and such bonds, debentures or other securities may be issued only in proportion to the length of the railway constructed or under contract to be constructed, and shall be secured by mortgage upon the railway and all property incident thereto.

14. In addition to the bonds, debentures, and other securities authorized by the next preceding section, the Company, being first authorized by a resolution passed at a special general meeting of its shareholders duly called for that purpose, at which meeting shareholders representing at least two-thirds in value of the subscribed capital stock of the Company are present or represented by proxy, may, from time to time, issue bonds or debentures in aid of or for the acquisition of any vessels or other property other than the railway which

the Company is authorized to acquire, but such bonds and debentures shall not exceed in amount the value of such vessels or property.

Mortgages to secure bonds.

**15.** For the purpose of securing the issue of such bonds the Company shall execute a mortgage or mortgages, not inconsistent with law or with the provisions of this Act, in such form and containing such provisions as are approved by a resolution passed at the special general meeting of shareholders mentioned in the next preceding section.

Provisions of mortgages.

2. The said mortgages shall be made to the trustees appointed for this purpose at the said special general meeting, and may contain provisions establishing the amount secured upon the vessels or class of vessels or property other than the railway to which such mortgages relate, the rank and privilege to appertain to the bonds intended to be secured thereby, the rights and remedies to be enjoyed by the respective holders of such bonds, the mode of assuring the application of the proceeds of such bonds to the purposes for which they are to be issued, the rate of interest payable thereon, the place and time of payment of such interest and of the capital thereof, the creation of a sinking fund for the redemption of such bonds, and all the conditions, provisions and restrictions requisite for the effectual carrying out of the terms thereof, and for the protection of the holders of such bonds.

Power to bind tolls and revenues.

3. The Company may charge and bind the tolls and revenues of the vessels or class of vessels or property other than the railway to which any such mortgage relates, in the manner and to the extent therein specified; and each such mortgage shall create absolutely a first lien and incumbrance on the vessels or class of vessels or property other than the railway therein described, as well as on the tolls, revenues and subsidy therein hypothecated, the whole being for the benefit of the holders of the bonds in respect of which such mortgage is made.

How bonds to rank.

**16.** Each issue of bonds intended to be secured by any of the mortgages referred to in the next preceding section shall entitle the respective holders of each such issue to rank with each other *pari passu*, and a duplicate of each mortgage shall be filed in the office of the Secretary of State of Canada.

Time for construction limited.

**17.** If the construction of the railway is not commenced and fifteen per cent on the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not finished and put in operation within five years after the passing of this Act, the powers granted by this Act or by *The Railway Act* shall cease and be null and void as respects so much of the railway as then remains uncompleted.



## 2 EDWARD VII.

### CHAP. 100.

#### An Act to incorporate the Securities Bank of Canada.

[Assented to 15th May, 1902.]

WHEREAS the persons hereinafter named have, by their petition, prayed that an Act be passed for the purpose of establishing a bank in Canada, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The persons hereinafter named, together with such others as may become shareholders in the corporation by this Act created, are hereby constituted a corporation by the name of "The Securities Bank of Canada," hereinafter called "the Bank." Incorporation. Corporate name.
2. The capital stock of the Bank shall be five millions of dollars. Capital.
3. The chief office of the Bank shall be at the city of Toronto. Chief office.
4. Sydney Brown Woods, of Toronto, Thomas Herbert Lennox, of Aurora, John Murray Jackson, William John McWhinney and Alexander Wentworth Falconer, all of Toronto, shall be the provisional directors of the Bank. Provisional directors.
5. This Act shall, subject to the provisions of section 16 of *The Bank Act*, remain in force until the first day of July in the year one thousand nine hundred and eleven. Duration of charter. 1890, c. 31.

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## 2 EDWARD VII.

### CHAP. 101.

#### An Act respecting the South Shore Railway Company.

[Assented to 15th May, 1902.]

WHEREAS the South Shore Railway Company has, by its Preamble. petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts Que., 1894,  
c. 72. 1896, 2nd.  
Sess. c. 10. as follows:—

1. The South Shore Railway Company may complete the railway which, by its Act of incorporation, it is authorized to construct, or any portion thereof, on or before the fifth day of October, one thousand nine hundred and five, provided that as to so much thereof as is not completed within that period, the powers of the said Company shall cease and determine.

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## 2 EDWARD VII.

### CHAP. 102.

#### An Act to incorporate the Sovereign Life Assurance Company of Canada.

[Assented to 15th May, 1902.]

WHEREAS the persons hereinafter named have, by their Preamble. petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Thomas Dunnet, Robert E. Menzie, Josiah B. King, <sup>Incorporation.</sup> James Glanville, George W. Clendennan, Edmund E. Shepard, A. H. Hoover, John T. Hornibrook, John T. Gilmour and Edmund E. King, all of the city of Toronto, in the province of Ontario, together with such persons as become members of and shareholders in the company, are incorporated under the name of "The Sovereign Life Assurance Company <sup>Corporate</sup> name. of Canada," hereinafter called "the Company."

**2.** The persons named in section 1 of this Act, together <sup>Provisional</sup> with such persons, not exceeding six, as they associate with them, shall be the provisional directors of the Company, a majority of whom shall be a quorum for the transaction of business, and they may forthwith open stock books, procure <sup>Powers.</sup> subscriptions of stock for the undertaking, make calls on stock subscribed, and receive payments thereon, and shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed or otherwise received by them on account of the Company, and shall withdraw the same for the purposes only of the Company, and may do generally what is necessary to organize the Company.

**3.** The capital stock of the Company shall be one million <sup>Capital stock.</sup> dollars, divided into shares of one hundred dollars each.

**4.** As soon as two hundred and fifty thousand dollars of <sup>Election of</sup> directors. the capital stock have been subscribed and ten per cent of

that amount paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders of the Company at some place to be named in the said city of Toronto, at which meeting the shareholders present or represented by proxy, who have paid not less than ten per cent on the amount of shares subscribed for by them, shall elect a board of not less than seven nor more than twenty-five directors, of whom a majority shall be a quorum.

**Qualification.** 2. No person shall be a director unless he holds in his own name and for his own use at least twenty-five shares of the capital stock of the Company, and has paid all calls due thereon and all liabilities incurred by him to the Company.

**Payment for shares.**

**5.** The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent, and no subsequent instalment shall exceed ten per cent, and not less than thirty days' notice shall be given of any call: Provided that the Company shall not commence the business of insurance until sixty-two thousand five hundred dollars of capital stock have been paid in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act: provided further, that the amount so paid in by any shareholder shall not be less than ten per cent upon the amount subscribed by such shareholder.

**Increase of capital.**

**6.** The directors may, after the whole capital stock has been subscribed and the whole has been paid thereon in cash, increase the amount of the capital stock, from time to time, to an amount not exceeding two million dollars, but the stock shall not be increased until a resolution of the board of directors authorizing such increase has been first submitted to and confirmed by a majority of the shareholders representing at least two-thirds in value of the subscribed stock of the Company present at a special general meeting of the shareholders duly called for the purpose of considering such by-law.

**Head office.**

**7.** The head office of the Company shall be at the city of Toronto, in the province of Ontario, or at such other place in Canada as the Company, from time to time, determines by by-law.

**Branches.**

2. The directors may, from time to time, establish branches, sub-boards or agencies either within Canada or elsewhere as they deem expedient.

**Annual general meeting.**

**8.** A general meeting of the Company shall be called once in each year after the organization of the Company and commencement of business, at its head office, and at such meeting a statement of the affairs of the Company shall be submitted.

**9.** The Company may effect contracts of life insurance with any person, and may grant, sell or purchase annuities, grant endowments, and generally carry on the business of life insurance in all its branches and forms.

**10.** The Company may acquire and dispose of any real property required in part or wholly for the use and accommodation of the Company; but the annual value of such property held in any province of Canada shall not exceed five thousand dollars, except in the province of Ontario, where it shall not exceed ten thousand dollars.

**11.** The directors may, from time to time, set apart such portion of the net profits as they deem safe and proper for distribution as dividends or bonuses to shareholders and holders of participating policies, ascertaining the part thereof which has been derived from participating policies, and distinguishing such part from the profits derived from other sources; and the holders of participating policies shall be entitled to share in that portion of the profits so set apart which has been so distinguished as having been derived from participating policies, to the extent of not less than ninety per cent thereof; but no dividend or bonus shall at any time be declared or paid out of estimated profits, and the portion of such profits which remains undivided upon the declaration of a dividend shall never be less than one-fifth of the dividend declared.

**12.** All persons who are actual holders of policies from the Company for one thousand dollars or upwards, whether such persons are shareholders of the Company or not, and who are by the terms of their policies entitled to participate in profits, and are referred to in this Act as holders of participating policies, shall be members of the Company and be entitled to attend and vote in person or by proxy at all general meetings of the Company; and every holder of a participating policy of the Company for a sum not less than one thousand dollars shall be entitled to one vote for each one thousand dollars in his policy.

**2.** A husband or father holding a participating policy on his life for the benefit of his wife or children shall be deemed a member of the Company.

**13.** Whenever any holder of a policy other than a term or natural premium policy has paid three or more annual premiums thereon and fails to pay any further premium, or desires to surrender the policy, the premiums paid shall not be forfeited, but he shall be entitled to receive a paid-up and commuted policy for such sum as the directors ascertain and determine, or to be paid in cash such sum as the directors fix as the surrender value of the policy, such sum in either case to be ascertained upon principles to be adopted by by-law applicable

applicable generally to all such cases as may occur : provided that if such paid-up and commuted policy or such cash payment is not demanded while such original policy is in force, or within twelve months after default has been made in payment of a premium thereon, the Company shall, without any demand therefor, either issue such paid-up and commuted policy, or pay to, or place to the credit of, the policyholder such cash surrender value.

R.S.C., c. 118. **14.** Notwithstanding anything contained therein, *The Companies Clauses Act*, except sections 18 and 39 thereof, shall apply to the Company in so far as the said Act is not inconsistent with any of the provisions of *The Insurance Act* or of R.S.C., c. 124. this Act.

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## 2 EDWARD VII.

### CHAP. 103.

#### An Act to incorporate the Sprague's Falls Manufacturing Company (Limited).

[Assented to 15th May, 1902.]

WHEREAS the persons hereinafter named have, by their Preamble petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Frank Todd, Henry F. Todd, James G. Stevens, junior, Incorporation. John F. Grant and W. C. Hazen Grimmer, all of Saint Stephen, in the county of Charlotte, in the province of New Brunswick, together with such persons as become shareholders in the company, are incorporated under the name of "The Sprague's Falls Manufacturing Company (Limited)," hereinafter called "the Company."

**2.** The said Frank Todd, Henry F. Todd, James G. Stevens, Provisional jr., John F. Grant and W. C. Hazen Grimmer shall be the first directors or provisional directors of the Company, a majority of whom shall form a quorum, and they shall have all the powers which are conferred upon directors by *The Companies Clauses Act R.S.C., c. 118.* and by this Act.

**3.** The capital stock of the Company shall be five million Capital stock. dollars, divided into shares of one hundred dollars each, and may be called up by the directors from time to time as they deem necessary, but no call subsequent to the allotment of shares shall exceed ten per cent nor be made at less intervals than two months.

**4.** The head office of the Company shall be in Saint Stephen, Head office. in the county of Charlotte, in the province of New Brunswick, at which place all meetings of the shareholders shall be held; but the directors may meet elsewhere, as provided by the by-laws of the Company.

Business of  
Company.

**5.** The Company may carry on the business of lumberers and manufacturers of lumber and lumber products in all its branches, including the manufacture of pulp and paper and other business incident thereto or connected therewith, and may erect and operate lumber mills and pulp and paper mills on or near to the St. Croix River, and may, for all or any of the said purposes, purchase, hold, lease or otherwise acquire, lands and limits and rights to cut lumber, and other property real and personal, movable and immovable, and may get, drive and manufacture lumber of all kinds, and may improve, extend, manage, develop, lease, exchange, sell and deal in lumber and lumber products of all kinds, including pulp and paper.

Power to  
acquire other  
businesses.

**6.** The Company may purchase or otherwise acquire any business within the objects of the Company, and any lands, property, privileges, water powers, rights, contracts and liabilities appertaining thereto, and may let or sublet any property of the Company, and may sell or otherwise dispose of the business, property or undertaking of the Company, or any part thereof, for such considerations as the Company thinks fit, and in particular for shares, debentures or securities of any other company having objects altogether or in part similar to those of the Company.

Dams.

**7.** The Company may locate, erect and maintain at or near Sprague's Falls, in the Saint Croix River, in the county of Charlotte, in the province of New Brunswick, dams, with the right of flowage, for the purpose of holding reserves of water in the said river and the storing and holding of timber, logs or other lumber; provided that in the construction of such dams an opening or openings with the necessary slides and gates sufficient for the safe transmission of square timber, saw-logs or loose lumber shall be maintained free of charge for the use of all persons who may desire to transmit square timber, saw-logs or loose lumber, and the Company shall be liable to pay damages to any owners of property injured by any overflowing of the waters of the said river caused by the said dams.

**2.** The Company shall be liable to pay to any persons injured compensation for any loss, damage, expense, detention, obstruction or unnecessary delay caused by the said dams, or the piers or booms hereinafter mentioned, or by the erection or maintenance of the said dams, piers or booms, in the driving or floating down the said river of any such square timber, saw-logs or loose lumber.

**3.** The Company shall, without delay, build and maintain in the said dams such fishways, and of such design, as may be prescribed by law.

Fishways  
in dams.

Piers, booms,  
etc., for mills.

**8.** The Company may locate, erect and maintain in the Saint Croix River, piers, booms, shear booms, wharfs, slips or other works necessary for operating saw or pulp mills or

other manufactories; such side booms and piers and shear booms to be extended from the said dams at or near Sprague's Falls, or other dams hereinafter provided for, up river to such a distance as is necessary for the purpose of holding, collecting, separating, driving and sorting out logs, pulp wood and other lumber coming down the Saint Croix River, belonging to the Company or to any other person, and the logs, pulp wood or other lumber of any person which comes into the Company's booms shall, without unnecessary delay, be separated by the Company from its own, and shall, at the cost and expense of the Company, be driven out of the booms and into the river.

2. The Saint Croix Log Driving Company may place one or more men at the said booms, and at the expense of the Company hereby incorporated, to see that the logs of any person other than the last mentioned company are all, and properly, passed by, and if not passed by to the satisfaction of the said log driving company, then the said log driving company may themselves take charge and pass the logs by, at the expense of the Company hereby incorporated.

Rights of St.  
Croix Log  
Driving Co.

9. Subject to the provisions of any Act of the Legislature <sup>Prize and</sup> of the said province, the Company shall not take or hold <sup>unmarked</sup> logs, within its booms any prize or unmarked logs. Any person interested may go upon the property of the Company at any reasonable time and in any reasonable manner, search for such prize or unmarked logs, but the Company shall have its proper proportion of the proceeds of the sale thereof.

10. Such piers, boom and shear booms shall be so erected and maintained by the Company as not to obstruct, hinder or unnecessarily delay the free and uninterrupted passage down the river, to and below the said dam, of any square timber, saw-logs or loose timber belonging to persons other than the Company.

Passage of  
logs and tim-  
ber not to be  
interrupted.

11. The Company may locate, erect and maintain in the Saint Croix River, above Sprague's Falls, at or near Grand Falls and Chipetnicook Falls, on the said river, auxiliary dams, which shall be erected and maintained with the same requirements and under like conditions as required by section 7 respecting the dams at Sprague's Falls, and may use the power created by the said dams directly or locally, or may transmit the said power, by electricity or otherwise, to tide waters on the said river, or to points on the said river below the said dams, and for such purpose may erect poles and do all other things necessary therefor, but paying all damages caused by reason thereof.

Auxiliary  
dams.

Water  
powers.

Electricity.

12. The Company may construct, maintain and operate for its own use tramways, to be worked by electricity or otherwise, from the said dams to tide waters on the said river, and

for such purpose may erect poles and do all other things necessary therefor.

Power to enter on highway, etc.

**13.** The Company, for the purpose of constructing and maintaining its works, may, with the consent of the municipal council or other authority having jurisdiction over the same, enter on any highway, square or other public place, and as often as the Company thinks proper, may, with the like consent, break up and open any highway or public place, subject however to the following provisions :—

Travel not to be obstructed.

(a.) The Company shall not interfere with the public right of travel, or in any way obstruct the entrance to any door or gateway, or free access to any building ;

Height of wires.

(b.) The Company shall not permit any wire to be less than twenty-two feet above such highway or public place ;

Kind of poles.

(c.) All poles shall be as nearly as possible straight and perpendicular, and shall, in cities and towns, be painted, if so required by any by-law of the council ;

Cutting poles or wires in case of fire.

(d.) The Company shall not be entitled to damages on account of its poles or wires being cut by direction of the officer in charge of the fire brigade at any fire if, in the opinion of such officer, it is advisable that such poles or wires be cut ;

Injury to trees.

(e.) The Company shall not cut down or mutilate any shade, fruit or ornamental tree without the approval of the corporation of the municipality in which it is situate, and then only as far as it may be necessary ;

Supervision of municipality.

(f.) The opening up of streets for the erection of poles, or for carrying wires under ground, shall be subject to the direction and approval of such person as the municipal council appoints, and shall be done in such manner as the said council directs ; the council may also designate the places where such poles shall be erected, and such street, square or other public place shall, without any unnecessary delay, be restored, as far as possible, to its former condition, by and at the expense of the Company ;

Surface of street to be restored.

(g.) Nothing herein contained shall be deemed to authorize the Company to enter upon any private property for the purpose of erecting, maintaining or repairing any of its works, without the previous assent of the owner or occupant of the property for the time being ;

Temporary removal of wires and poles.

(h.) If, for the purpose of removing buildings, or in the exercise of the public right of travel, it is necessary that the said wires or poles be temporarily removed, by cutting or otherwise, the Company shall, at its own expense, upon reasonable notice in writing from any person requiring it, remove such wires and poles, and in default of the Company so doing, such person may remove such wires and poles at the expense of the Company. The said notice may be given either at any office of the Company, or to any agent or officer of the Company in the municipality wherein are the wires or poles required to be removed, or, in the case of a municipality wherein there is no such agent or officer, then, either at the

Notice to Company.

head office, or to any agent or officer of the Company in the nearest or any adjoining municipality to that in which such wires or poles are ;

(i.) The Company shall be responsible for all damage which it causes to ornamental, shade, or fruit trees, and otherwise for all unnecessary damage which it causes in carrying out or maintaining any of its said works. Liability for damage.

**14.** Lands actually required for the construction, maintenance and operation of the Company's mills, dams, piers, roads and tramways, may be taken and acquired by the Company ; and to this end, after a plan of such lands has been approved of by the Governor in Council, all the provisions of *The Railway Act* which are applicable to such taking and acquisition shall, so far as they are applicable thereto, apply as if they were included in this Act ; and all the provisions of *The Railway Act* which are applicable shall, in like manner, apply to the ascertainment and the payment of the compensation for, or damages to, lands arising out of such taking and acquisition, or the construction or maintenance of the works of the Company, or the exercise of any of the powers of the Company under this section. Powers of expropriation. 1888, c. 29.

**15.** The Company may also, for the purposes of its business hereinbefore mentioned and in connection therewith, own or manage hotels or boarding houses. Hotels and boarding houses.

**16.** The Company may purchase, lease and acquire timber and other lands, including the property of the incorporators or any of them, and the whole or any of the good-will, stock in trade, assets and property, real and personal, movable and immovable of the incorporators or other persons in connection with the said business, subject to the obligations, if any, affecting the same, and may pay the price thereof wholly in cash or wholly or partly in fully paid up or partly paid up shares of stock of the Company, or wholly or partly in debentures of the Company or otherwise, and may mortgage, sell or otherwise dispose thereof. Power to acquire property of the incorporators. Payment therefor.

**17.** The Company may make, endorse, accept or execute bills and cheques, promissory notes, bills of exchange, warehouse receipts, bills of lading and other negotiable instruments. Provided, however, that nothing in this section shall be construed to authorize the Company to issue any note or bill payable to bearer or intended to be circulated as money or as a note or bill of a bank.

**18.** The directors, under the authority of a resolution of the shareholders passed at any special meeting called for the purpose, or at any annual meeting at which shareholders representing at least two-thirds in value of the issued capital stock of the Company are present or represented by proxy, may, from time

time to time at their discretion, borrow moneys for the purposes of the Company, and secure the repayment thereof in such manner and upon such terms and conditions as they see fit, and for this purpose may mortgage, pledge, hypothecate or charge the assets and property of the Company: Provided that the aggregate amount so borrowed shall not, at any time, be greater than seventy-five per cent of the actual paid-up stock of the Company; but this limitation shall not apply to commercial paper discounted by the Company.

Act to expire  
by non user.

**19.** This Act shall expire and the charter hereby granted shall cease to be in force if the Company does not go into actual operation within two years from the passing of this Act.

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## 2 EDWARD VII.

### CHAP. 104.

#### An Act to incorporate the Strait of Canso Bridge Company.

*[Assented to 15th May, 1902.]*

WHEREAS a petition has been presented praying that it be <sup>Preamble.</sup> enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. Robert G. Reid of Montreal, in the province of Quebec, <sup>Incorporation.</sup> Alexander C. Ross of Sydney, Graham Fraser of New Glasgow, and Hiram Donkin of Antigonish, in the province of Nova Scotia, together with such persons as become shareholders in the company, are incorporated under the name of "The Strait <sup>Corporate</sup> of Canso Bridge Company," hereinafter called "the Company." <sup>name.</sup>
2. The works of the Company are declared to be for the <sup>Declaratory.</sup> general advantage of Canada.
3. The said Robert G. Reid, Alexander C. Ross, Graham <sup>Provisional</sup> Fraser and Hiram Donkin are constituted the provisional <sup>directors.</sup> directors of the Company.
4. The capital stock of the Company shall be five million <sup>Capital</sup> stock. dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed.
5. The head office of the Company shall be in the city of <sup>Head office.</sup> Montreal or in such other place in Canada as the Company determines by by-law.
6. The annual meeting of the Company shall be held on <sup>Annual</sup> meeting. the second Tuesday in September in each year.
7. At such meeting the subscribers for the capital stock <sup>Number of</sup> assembled, who have paid all calls due on their shares, shall <sup>directors.</sup> choose

choose not less than five nor more than nine persons to be directors of the Company.

Powers of  
Company.  
Bridge.

**8. The Company may—**

(a.) construct, maintain and use a bridge with approaches for railway purposes or for railway and general traffic purposes, over the Strait of Canso from a point at or near the village of Port Hastings, in the county of Inverness, to a point at or near Cape Porcupine in the county of Guysborough, in the province of Nova Scotia, or between such other points on the said strait as the Governor in Council approves of;

(b.) with the consent of the Governor in Council, lay out, construct and operate one or more lines of railway, not exceeding five miles in length in any one case, to connect the bridge with existing and future lines of railway on each side of the said Strait of Canso;

Railways.

(c.) charge and collect tolls upon and for the use of the said bridge and railways: Provided, however, that no such tolls shall be levied or taken until the by-law fixing them has been approved of by the Governor in Council and published as provided by section 227 of *The Railway Act*; that such by-law shall be subject to revision as provided by section 228 of *The Railway Act*; and that, for the purpose of the said approval and revision, the said sections 227 and 228 shall apply, *mutatis mutandis*, to any by-law of the Company fixing such tolls.

Design, etc.,  
to be approved  
by Governor  
in Council.

**9. The bridge authorized to be constructed under this Act shall be built and located under, and subject to such regulations for the security of navigation of the said strait as the Governor in Council shall prescribe, and to secure that object the Company shall submit to the Governor in Council for his examination and approval a design and drawing of the bridge, and a map of the location giving the soundings, accurately showing the bed of the stream and location of other bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plans and location are approved by the Governor in Council the bridge shall not be built or commenced, and should any change be made in the plans of the said bridge during the process of construction, such change shall be subject to the approval of the Governor in Council and shall not be made or commenced until the same is approved.**

Regulations  
by Minister.

**10. The Minister of Railways and Canals may, from time to time, make and give regulations or orders respecting the reconstructing or maintaining of the bridge and approaches, and the piers, abutments and other work relating thereto, the operating of the bridge or any part thereof, or approaches thereto, the displaying upon the bridge or the piers thereof, between the hours of sunset and sunrise, of beacons or lights, or other signals at other times—the construction, placing,**

operating and maintaining upon, or in the vicinity of, the passage or passages of the bridge, of piers, booms, buoys or other aids or safeguards to navigation—or otherwise designed to protect the interests of the public or the prevention of obstructions to navigation.

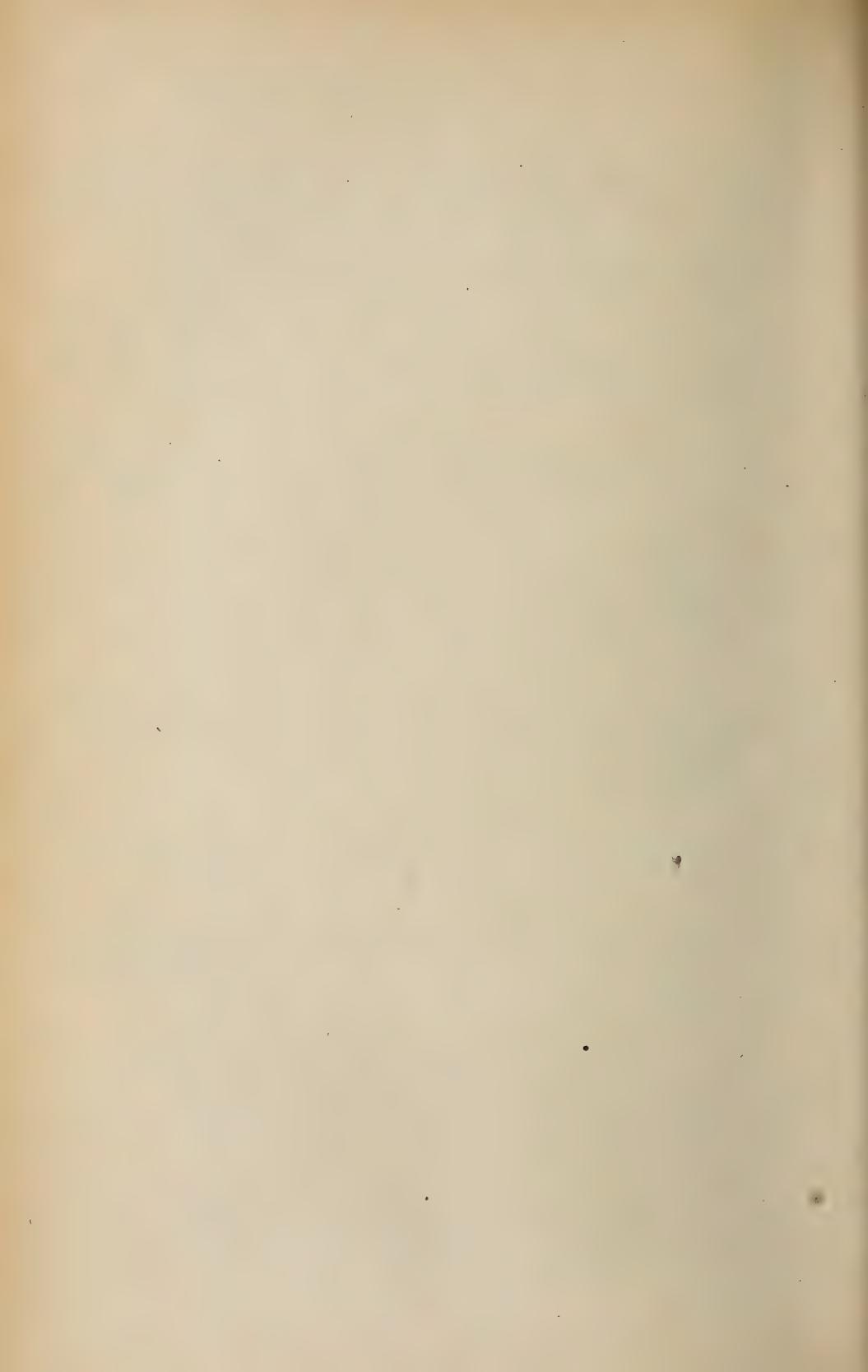
2. On the failure of the Company to comply, within such time as the Minister deems reasonable, with any such regulations or orders the Governor in Council may, on the report of the Minister, either close the bridge and approaches until such regulations or orders are complied with, or cause them to be observed or executed at the expense of the Company; and all amounts expended under the order of the Governor in Council in giving effect to such regulations or orders shall be recoverable from the Company by proceedings in the name of the Attorney General of Canada in any court of competent jurisdiction.

11. The Company may, with the approval of two-thirds of the votes of the shareholders present at a special general meeting duly called for the purpose of considering the matters in this section referred to, at which meeting shareholders representing at least two-thirds in value of the capital stock are present or represented by proxy, and after obtaining the sanction of the Governor in Council in the manner provided by section 239 of *The Railway Act*, and subject to the provisions contained in this Act, unite with any other company incorporated for similar purposes under the laws of Canada or of the province of Nova Scotia, or with any body corporate, in building, maintaining, managing and using the bridge and approaches, and may enter into any agreement with such corporation respecting the construction, maintenance, management and use thereof.

12. The Company may issue bonds, debentures or other securities in aid of the construction herein mentioned to an amount not exceeding five million dollars.

13. The Company's work shall be commenced within two years and completed within six years from the passing of this Act, otherwise the powers granted for the construction of the said work shall cease and be null and void.

14. The provisions of *The Railway Act*, so far as they are applicable to the Company and its undertakings, and when not inconsistent with the provisions hereof, shall apply to the Company and its undertakings in the same manner as if they were included in and formed part of this Act





## 2 EDWARD VII.

### CHAP. 105.

#### An Act respecting the Tilsonburg, Lake Erie and Pacific Railway Company.

*[Assented to 15th May, 1902.]*

WHEREAS the Tilsonburg, Lake Erie and Pacific Railway Preamble. Company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the 1890, c. 56. advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

**1.** The powers granted to the Tilsonburg, Lake Erie and Pacific Railway Company by section 3 of chapter 56, of the statutes of 1890, to construct a railway from the town of Tilsonburg to some point on the Canadian Pacific Railway at or near the town of Woodstock or the town of Ingersoll in the county of Oxford, are revived and declared to be in force, and the said Company shall commence the construction of the said portion of its railway within two years and complete it within five years from the passing of this Act, otherwise the powers of construction thereof shall cease and be null and void with respect to so much of the said railway as then remains uncompleted.

Time for construction extended.

**2.** The said Company may lay out, construct and operate an extension of its railway from the town of Ingersoll, thence passing through the counties of Oxford, Perth, Waterloo, Wellington, Dufferin, Grey and Simcoe, or any of them, to a point at or near Collingwood on Georgian Bay.

Extension to Collingwood.

**3.** The provisions of section 9 of chapter 56 of the said statutes of 1890 as to the issue of bonds, debentures or other securities on the railway and branches of the said Company, shall also apply to the extension authorized under the provisions of section 2 of this Act.

**4.**

Time for  
construction  
of extension  
limited.

4. The said extension to Collingwood shall be commenced within two years and completed within five years from the passing of this Act, otherwise the powers of construction thereof shall cease and be null and void with respect to so much of the said extension as then remains uncompleted.

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## 2 EDWARD VII.

### CHAP. 106.

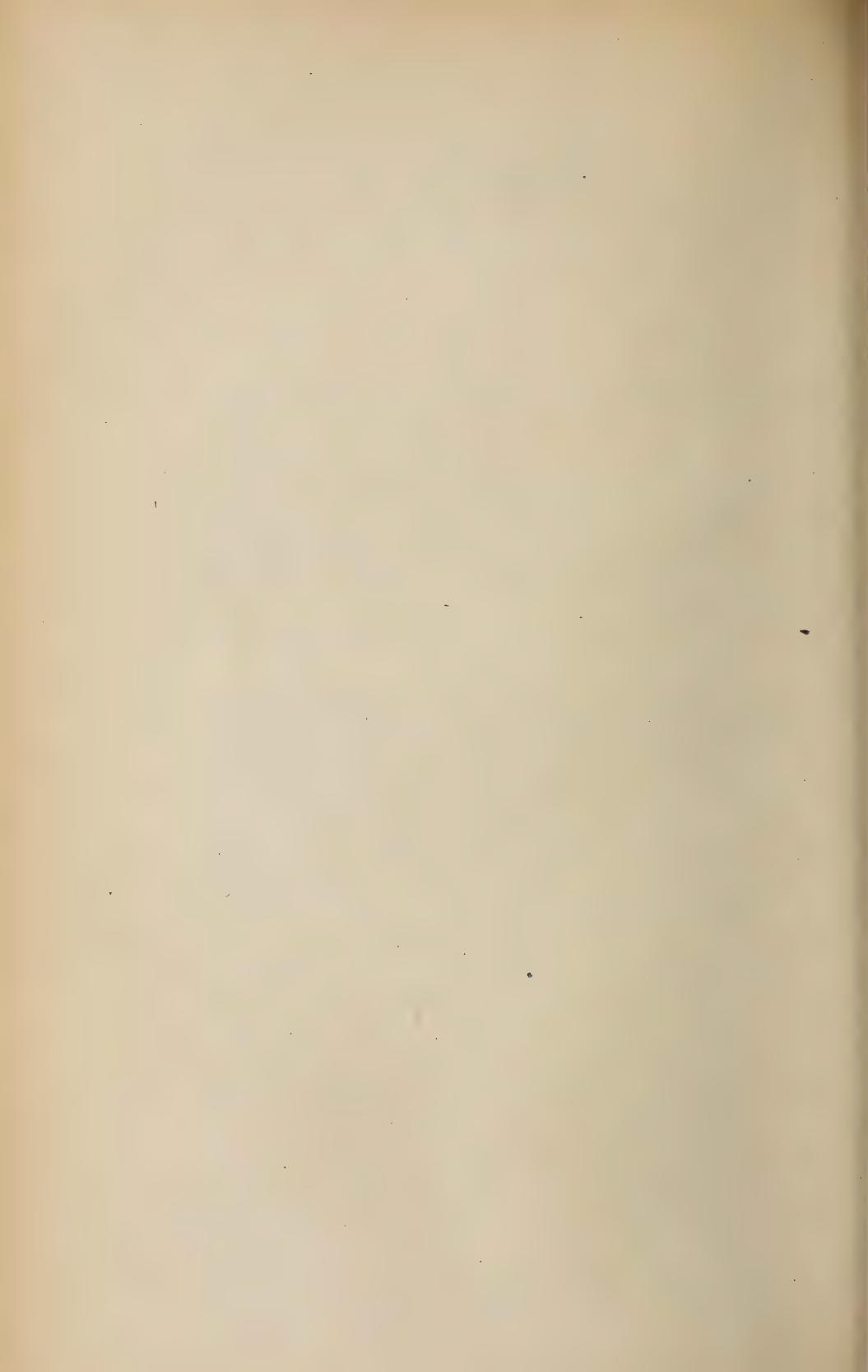
#### An Act respecting the Timagami Railway Company.

[Assented to 15th May, 1902.]

WHEREAS the Timagami Railway Company has, by its *Preamble*. petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section 2 of chapter 84 of the statutes of 1900 is repealed. 1900, c. 84, s. 2 repealed.
2. The times limited for the commencement and completion of the railway of the Timagami Railway Company are extended for two years and five years respectively from the passing of this Act, and if the said railway is not commenced and fifteen per cent on the amount of the capital stock is not expended thereon within the said two years, or if the railway is not finished and put in operation within five years from the passing of this Act, then the powers granted by Parliament for such construction shall cease and be null and void with respect to so much of the said railway as then remains uncompleted. Time for construction extended.

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## 2 EDWARD VII.

### CHAP. 107.

#### An Act to incorporate the Toronto and Niagara Power Company.

*[Assented to 15th May, 1902.]*

WHEREAS the persons hereinafter named have, by their Preamble. petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. James Ross, of the city of Montreal, William Mackenzie, <sup>Incorporation.</sup> of the city of Toronto, Henry M. Pellatt, Frederick Nicholls <sup>name.</sup> and Samuel George Beatty, of the city of Toronto, together with such persons as become shareholders in the company, are incorporated under the name of "The Toronto and <sup>Corporate</sup> Niagara Power Company," hereinafter called "the Company." <sup>name.</sup>
2. The works authorized by this Act are declared to be for Declaratory. the general advantage of Canada.
3. The persons named in section 1 of this Act are constituted <sup>Provisional</sup> directors of the Company. <sup>directors.</sup>
4. The capital stock of the Company shall be three million <sup>Capital stock.</sup> dollars, divided into shares of one hundred dollars each.
5. The head office of the Company shall be at the city of <sup>Head office.</sup> Toronto, or at such other place in Canada as is from time to time determined by by-law of the Company.
6. The annual general meeting of the shareholders of the <sup>Annual</sup> Company shall be held on the first Monday in November in <sup>meeting.</sup> each year, or at such other date as may be fixed by by-law of the Company.
7. At the first meeting of shareholders, and at each annual <sup>Election of</sup> meeting, the shareholders assembled who have paid all calls <sup>directors.</sup> due

due on their shares, shall choose not less than five nor more than seven persons as directors of the Company, the number to be determined by by-law, and a majority of the directors shall form a quorum, and one or more may be paid directors, and the directors may pass by-laws for the conduct of the affairs and business of the Company.

Aliens may be shareholders and directors.

Qualification of directors.

**8.** Aliens and foreign corporations may, equally with British subjects, become shareholders in the Company, and may vote upon their shares. No person shall be elected a director unless he is a shareholder owning stock absolutely in his own right and not in arrear in respect of any call thereon; and aliens shall have the same rights as British subjects of being directors, but the majority of the directors shall be residents of Canada.

Motive power.

**9.** The Company may acquire lands and erect, use and manage works, machinery and plant for the generation, transmission and distribution of electric and other power and energy.

Water and steam power.

**10.** The Company may acquire and utilize water and steam power for the purpose of compressing air or generating electricity, and may sell, dispose of and distribute the same either as water power or other power or by converting the same into electricity or other force for any purpose for which electricity or other power can be used.

Hydraulic and electric power.

**11.** The Company may supply hydraulic, electric or other power by means of cables, machinery or other appliances, and at such rates and upon such conditions as are agreed upon, and the Company may contract with any company or person having erected or having power to erect a bridge or viaduct across the Niagara River, for permission, upon such terms as are agreed upon, to carry one or more wires for electric power or other purpose upon and over the said bridge or viaduct towards the United States shore of the Niagara River, and connect the same with the wires of any electric or other company in the United States, for the purpose of enabling the Company to furnish and guarantee continuous power for the uses proposed to be served by the Company, and may contract with such company to work the said electric or other power jointly, or may acquire any existing contract of such character.

Power to connect wires with U. S. companies.

Works for electric power.

**12.** The Company may acquire, construct, maintain and operate works for the production, sale and distribution of electricity and power, for any purpose for which such electricity or power can be used, and may construct, maintain and operate lines of wire, poles, tunnels, conduits and other works in the manner and to the extent required for the corporate purposes of the Company, and may conduct, store, sell and supply electricity and other power, and may,

with such lines of wire, poles, conduits, motors or other conductors or devices, conduct, convey, furnish or receive such electricity to or from any person, at any place, through, over, along or across any public highway, bridges, viaducts, railways, water courses, or over or under any waters, and may enter upon any lands on either side of such lines or conduits, and fell or remove any trees or limbs thereof, or other obstructions necessary, in the opinion of the engineer of the Company, to guard the safety of such lines or conduits, and the Company may enter upon any private property and survey, set off and take such parts thereof as are necessary for such lines of wire, poles or conduits, and in case of disagreement between the Company and any owner or occupier of lands which the Company may take for any of the purposes aforesaid or in respect of any damages done thereto by constructing the said lines, poles or conduits upon the same, the provisions of *The Railway Act* hereinafter incorporated, shall apply; but nothing herein contained shall give the Company right to expropriate water powers.

Expropriation powers.

**13.** The Company may erect poles, construct trenches or conduits and do all other things necessary for the transmission of power, heat or light as fully and effectually as the circumstances of the case may require, provided the same are so constructed as not to incommod the public use of streets, highways or public places or to impede the access to any house or other building erected in the vicinity thereof, or to interrupt the navigation of any waters, but the Company shall be responsible for all damage which it causes in carrying out or maintaining any of its said works.

Works for conveying power.

Proviso.

**14.** The directors may make and issue as paid up and non-assessable stock, shares in the Company in payment for any contract, franchise, property, undertaking, privilege, right or power which may be assigned or transferred to it or which it may acquire by virtue of this Act, at such rate as they deem expedient, to engineers or contractors or for right of way, material, plant, buildings or lands, or the construction or equipment of the works or any part thereof, or for services rendered in placing or assisting to place or guaranteeing the placing of any of the shares or other securities of the Company or in or about the promotion of the Company or the conduct of its business.

Issue of paid up stock.

**15.** The directors may, from time to time, issue bonds of the Company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of one million five hundred thousand dollars, which shall, as therein provided, be a charge upon the works, franchise, plant and undertaking of the Company, and be payable at such times and places and be sold at such price as the directors from time to time determine.

mine, and the Company may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which, under the authority of this Act, they have power to issue.

Stock in other companies.

**16.** The Company may take and hold stock in any corporation created for or engaged in the business of using or supplying water from the Niagara or Welland River, or of any corporation created for or engaged in the use of power, light or heat derived from such water or otherwise, and may hold stock in any corporation which contracts to purchase, lease or use any power or property of the Company, and its stock may also be owned, held and voted upon by any such corporation acquiring such stock.

Telephone and telegraph line.

**17.** The Company may construct a telephone line and telegraph line in connection with and for the purpose only of its own works and business.

Surveys.

1888, c. 29.

**18.** The Company may take and make the surveys and levels of the lands through or under which the works of the Company are to pass or to be operated, together with the map or plan thereof, and of the course and direction of the said works and of the lands intended to be passed through or under so far as then ascertained, and also the book of reference for the works and deposit the same as required by *The Railway Act* with respect to plans and surveys, by sections or portions less than the whole length of the said works, and of such length as the Company from time to time sees fit; and upon such deposit as aforesaid of the map or plan and book of reference of any and each of such sections or portions of the said works all the sections of *The Railway Act* applicable thereto shall apply to each of such sections or portions of the said works as fully and effectually as if the said surveys and levels had been taken and made of the lands through or under which the whole of the said works are or were to pass, together with the map or plan of the whole thereof, and of their whole course and direction, and as fully as if the book of reference for the whole of the said works had been taken, made, examined, certified and deposited according to the said sections of *The Railway Act*.

Fencing of expropriated land.

**19.** The Company shall erect and maintain on each side of the land expropriated by the Company, fences and gates, as fully as required by *The Railway Act*, and for this purpose sections 194 to 199 inclusive of *The Railway Act* shall apply, so far as applicable.

Queen Victoria, etc., park.

**20.** None of the works hereby authorized shall be constructed or the powers given by this Act exercised within the present limits of the Queen Victoria Niagara Falls Park except with the consent of the proper authorities.

**21.** Sections 40 to 61, both inclusive, section 90, sec. 1888, c. 29. sections 93 to 98, both inclusive, and sections 136 to 169, both inclusive, of *The Railway Act* shall apply to the Company and its undertakings in so far as the said sections are not inconsistent with the provisions of this Act, and subject to the following:—

(a.) Wherever in the said sections of *The Railway Act* the word "company" occurs, it shall mean the Company hereby incorporated. *Company* defined.

(b.) Wherever in the said sections of *The Railway Act* the word "railway" occurs, it shall, unless the context otherwise requires and in so far as it applies to the provisions of this Act, mean the works, conduits, lines, cables or other works authorized by this Act to be constructed or acquired. *Railway* defined.

(c.) Wherever in the said sections of *The Railway Act* the word "land" occurs, it shall include any privilege or easement required by the Company for constructing the works authorized by this Act, or any portion thereof, over and along any land, without the necessity of acquiring a title in fee simple thereto. *Land* defined.

**22.** Sections 9, 18 and 39 of *The Companies Clauses Act* R.S.C., c. 118. shall not apply to the Company.

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## 2 EDWARD VII.

### CHAP. 108.

#### An Act respecting the Trans-Canada Railway Company.

[Assented to 15th May, 1902.]

WHEREAS the provisional directors of the Trans-Canada Railway Company have, by their petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

**1.** Notwithstanding anything contained in *The Railway Act* or in the Acts relating to the Trans-Canada Railway Company, hereinafter called “the Company,” it is hereby declared that the Company shall have ten years from the passing of this Act within which to complete the railway authorized by the said Acts; and if the said railway is not completed within the said period the powers of construction conferred upon the Company by Parliament shall cease and be null and void with respect to so much of the said railway as then remains uncompleted.

**2.** Section 2 of chapter 68 of the statutes of 1895 is repealed, and the following is substituted therefor:—

“**2.** The head office of the Company shall be in the city of Quebec or in such other place in Canada as the Company from time to time determines by by-law.”

**3.** Section 6 of the said Act is repealed, and in lieu thereof it is enacted that George Earl Church, Richard Biddulph Martin and Frank Crisp, all of London, England, the Honourable Francis Clemow and J. A. Gemmill, of the city of Ottawa, George Tanguay, John T. Ross, Gaspard LeMoine, Victor Chateauvert, J. G. Scott, William Price, W. A. Marsh, T. A. Piddington, the Honourable P. Garneau, Vesey Boswell, William Shaw, the Honourable N. Garneau, L. A. Robitaille, N. Rioux, E. Beaudet, E. E. Ling, A. E. Doucet, the Honourable Jules Tessier, Guy Tombs, Alexandre Hardy and S. S. Oliver, all of the city of Quebec, B. A. Scott, of Roberval, George T. Davie, of Levis, J. D. Guay and J. E. A. Dubuc, of Chicoutimi,

timi, Joseph Girard, of St. Gédéon, Onézime Coté, of St. Alphonse, William Hanson, of Montreal, W. Reeves, of Montreal, James McNaught, of New York, H. H. Melville, of Boston, Massachusetts, A. Robitaille, of Quebec, John Farson, of Chicago, and Thomas L. Willson, of St. Catharines, Ontario, shall be the provisional directors of the Company, of whom seven shall form a quorum.

Point of commencement of main line.

Branch lines.

Running powers over Quebec and Lake St. John Railway.

Agreement with another company.

Approval of shareholders and Governor in Council.

Notice of application for sanction.

Agreement to be filed with Secretary of State.

**4.** The Company may continue the construction of its main line which was commenced at Roberval on the Quebec and Lake St. John Railway, from that point in a westerly or north-westerly direction, and may build a branch line from the nearest point on its main line to deep water near the mouth of the Nottaway River, and also a branch line from Chicoutimi to the mouth of the Saguenay River at or near St. Catharines Bay.

**2.** The Company may, subject to agreement with the Quebec and Lake St. John Railway Company, exercise running powers over the said railway to Quebec and Chicoutimi.

**5.** The Company may enter into an agreement with the Great Northern Railway of Canada, the Quebec and Lake St. John Railway Company, or the Canadian Northern Railway Company, for conveying or leasing to such company the railway of the Company, in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

**2.** Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties or electoral districts through which the railway of the Company runs, and in which a newspaper is published.

**3.** A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be *prima facie* evidence of the requirements of this Act having been complied with.



## 2 EDWARD VII.

### CHAP. 109.

#### An Act to incorporate the Union Life Assurance Company.

*[Assented to 15th May, 1902.]*

WHEREAS the persons hereinafter named have, by their Preamble. petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Harry Symons, K.C., Hardy Pollman Evans, both of the Incorporation. city of Toronto; Charles Percy, of the city of Montreal; Lieutenant-Colonel G. E. Allen Jones, A. E. Vallerand, both of the city of Quebec; Franklin George Hughes, L.D.S., of the town of Galt, Ontario; and George Ernest Millichamp, M.D., of the city of Toronto, together with such persons as become members of and shareholders in the company, are incorporated under the name of "The Union Life Assurance Corporate name. Company," hereinafter called "the Company."

**2.** The persons named in section 1 of this Act, together with such persons, not exceeding six, as they associate with them, shall be the provisional directors of the Company, a majority of whom shall be a quorum for the transaction of business, and they may forthwith open stock books, procure Powers. subscriptions of stock for the undertaking, make calls on stock subscribed, and receive payments thereon, and shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed or otherwise received by them on account of the Company, and shall withdraw the same for the purposes only of the Company, and may do generally what is necessary to organize the Company.

**3.** The capital stock of the Company shall be one million Capital stock. dollars, divided into shares of one hundred dollars each.

Election of  
directors.

**4.** As soon as two hundred and fifty thousand dollars of the capital stock have been subscribed and ten per cent of that amount paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders of the Company at some place to be named in the said city of Toronto, at which meeting the shareholders present or represented by proxy, who have paid not less than ten per cent on the amount of shares subscribed for by them, shall elect a board of not less than seven nor more than twenty-five directors, of whom a majority shall be a quorum.

Qualification.

**2.** No person shall be a director unless he holds in his own name and for his own use at least twenty-five shares of the capital stock of the Company, and has paid all calls due thereon and all liabilities incurred by him to the Company.

Payment for  
shares.

**5.** The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent, and no subsequent instalment shall exceed ten per cent, and not less than thirty days' notice shall be given of any call: Provided that the Company shall not commence the business of insurance until sixty-two thousand five hundred dollars of capital stock have been paid in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act: provided further, that the amount so paid in by any shareholder shall not be less than ten per cent upon the amount subscribed by such shareholder.

When busi-  
ness may be  
commenced.

**6.** The directors may, after the whole capital stock has been subscribed and the whole has been paid thereon in cash, increase the amount of the capital stock, from time to time, to an amount not exceeding two million dollars, but the stock shall not be increased until a resolution of the board of directors authorizing such increase has been first submitted to and confirmed by a majority of the shareholders representing at least two-thirds in value of the subscribed stock of the Company present at a special general meeting of the shareholders duly called for the purpose of considering such by-law.

Head office.

**7.** The head office of the Company shall be at the city of Toronto, in the province of Ontario, or at such other place in Canada as the Company, from time to time, determines by by-law.

Branches.

**2.** The directors may, from time to time, establish branches, sub-boards or agencies either within Canada or elsewhere as they deem expedient.

Annual  
general  
meeting.

**8.** A general meeting of the Company shall be called once in each year after the organization of the Company and commencement of business, at its head office, and at such meeting a statement of the affairs of the Company shall be submitted.

**9.** The Company may effect contracts of life insurance with any person, and may grant, sell or purchase annuities, grant endowments, and generally carry on the business of life insurance in all its branches and forms.

**10.** The Company may acquire and dispose of any real property required in part or wholly for the use and accommodation of the Company ; but the annual value of such property held in any province of Canada shall not exceed five thousand dollars, except in the province of Ontario, where it shall not exceed ten thousand dollars.

**11.** The directors may, from time to time, set apart such portion of the net profits as they deem safe and proper for distribution as dividends or bonuses to shareholders and holders of participating policies, ascertaining the part thereof which has been derived from participating policies, and distinguishing such part from the profits derived from other sources ; and the holders of participating policies shall be entitled to share in that portion of the profits so set apart which has been so distinguished as having been derived from participating policies, to the extent of not less than ninety per cent thereof ; but no dividend or bonus shall at any time be declared or paid out of estimated profits, and the portion of such profits which remains undivided upon the declaration of a dividend shall never be less than one-fifth of the dividend declared.

**12.** All persons who are actual holders of policies from the Company for one thousand dollars or upwards, whether such persons are shareholders of the Company or not, and who are by the terms of their policies entitled to participate in profits, and are referred to in this Act as holders of participating policies, shall be members of the Company and be entitled to attend and vote in person or by proxy at all general meetings of the Company ; and every holder of a participating policy of the Company for a sum not less than one thousand dollars shall be entitled to one vote for each one thousand dollars in his policy.

2. A husband or father holding a participating policy on his life for the benefit of his wife or children shall be deemed a member of the Company.

**13.** Whenever any holder of a policy other than a term or natural premium policy has paid three or more annual premiums thereon and fails to pay any further premium, or desires to surrender the policy, the premiums paid shall not be forfeited, but he shall be entitled to receive a paid-up and commuted policy for such sum as the directors ascertain and determine, or to be paid in cash such sum as the directors fix as the surrender value of the policy, such sum in either case to be ascertained upon principles to be adopted by by-law applicable generally to all such cases as may occur : provided that

that if such paid-up and commuted policy or such cash payment is not demanded while such original policy is in force, or within twelve months after default has been made in payment of a premium thereon, the Company shall, without any demand therefor, either issue such paid-up and commuted policy, or pay to, or place to the credit of, the policy-holder such cash surrender value.

R.S.C., c. 118. **14.** Notwithstanding anything contained therein, *The Companies Clauses Act*, except sections 18 and 39 thereof, shall apply to the Company in so far as the said Act is not inconsistent with any of the provisions of *The Insurance Act* or of R.S.C., c. 124. this Act.

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## 2 EDWARD VII.

### CHAP. 110.

#### An Act respecting the United Gold Fields of British Columbia (Limited).

[Assented to 15th May, 1902.]

WHEREAS the United Gold Fields of British Columbia, Preamble. Limited, has represented that it is a company incorporated under the laws of the United Kingdom, and is registered as a foreign company in the North-west Territories, and has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. The United Gold Fields of British Columbia, Limited, hereinafter called "the Company," may construct, maintain and operate a railway of the gauge of four feet eight and one half inches from a point on the line of the Canadian Pacific Railway at or near Frank, in the district of Alberta, thence in a northerly direction through townships seven and eight, range four, west of the fifth meridian in the North-west Territories, to Grassy Mountain in the said township eight. Line of railway described.
2. The head office of the Company shall be at Frank, in the Head office district of Alberta.
3. The Company may, for the purposes of its railway undertaking, construct, operate and dispose of telegraph and telephone lines, water powers, piers, wharfs, smelting works, refineries, blast furnaces and rolling mills. Works of Company
4. *The Railway Act* shall hereafter apply to the railway and works which the Company under this Act has authority to construct, to the exclusion of any provisions inconsistent therewith in the charter, Acts or agreements under which the Company is incorporated or authorized to exercise its corporate powers within Canada: Provided, that nothing herein shall be taken to affect or invalidate any action heretofore taken by 1888, c. 29, to apply. Proviso: as to acts done.

Proviso : as  
to expropri-  
tion of lands.

the Company pursuant to powers in such charter, Acts or agreements contained : Provided also, that the powers in *The Railway Act* respecting or incidental to the taking of lands without the consent of the owners thereof, shall not apply to any works of the Company other than those relating to the construction, operation and maintenance of the railway.

Time for con-  
struction  
limited.

**5.** If the construction of the railway, authorized by section 1 of this Act, is not commenced within two years after the passing of this Act, or if the railway is not finished and put in operation within five years after the passing of this Act, the powers of construction granted by this Act or by *The Railway Act* shall cease and be null and void as respects so much of the railway as then remains uncompleted.

Declaratory. **6.** The said railway and works are declared to be works for the general advantage of Canada.

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## 2 EDWARD VII.

### CHAP. III.

#### An Act respecting the Vancouver, Victoria and Eastern Railway and Navigation Company.

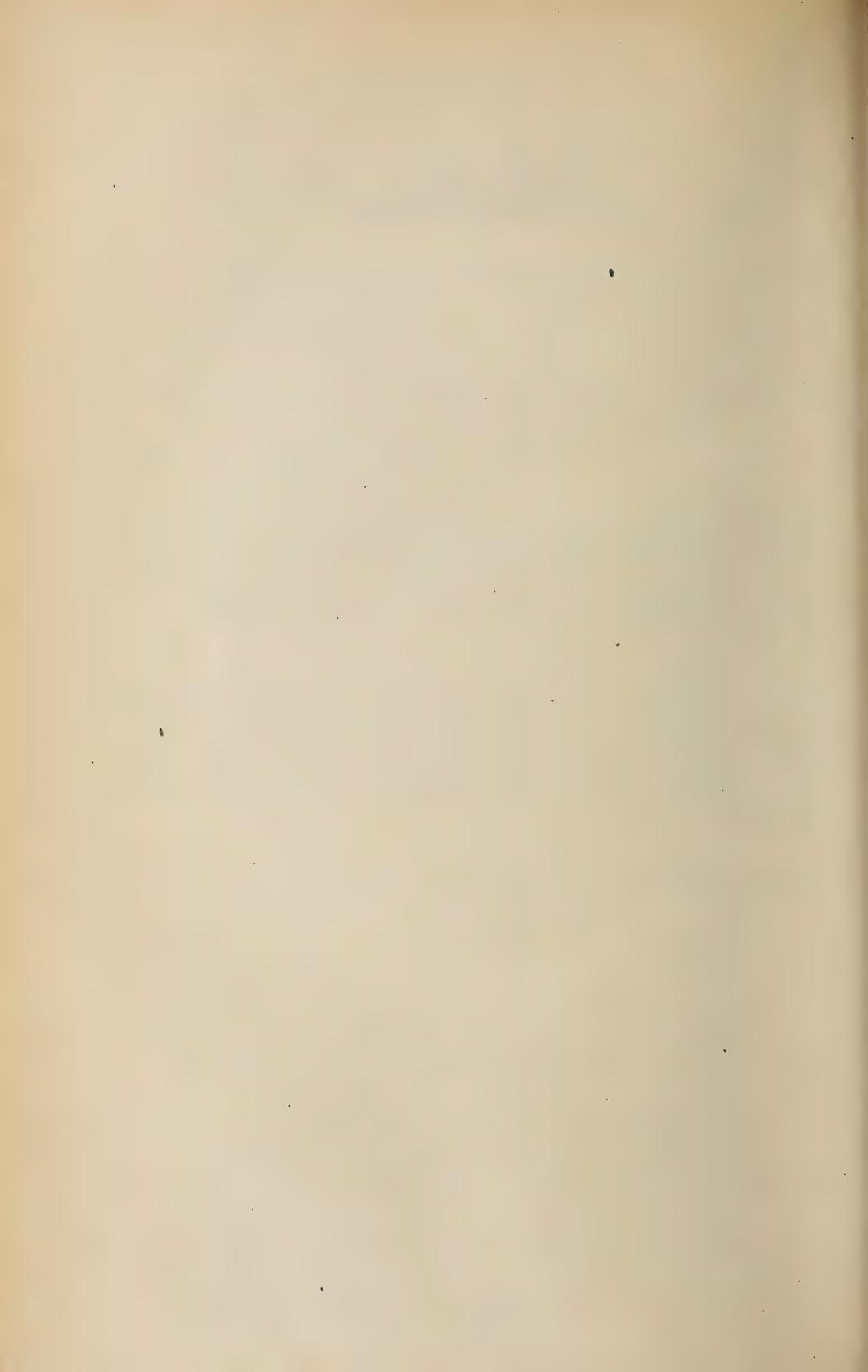
[*Assented to 15th May, 1902.*]

WHEREAS the Vancouver, Victoria and Eastern Railway Preamble. and Navigation Company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient 1898, c. 89. to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The Vancouver, Victoria and Eastern Railway and Navigation Company may construct and put in operation the lines of railway authorized by its Act of incorporation within three years from the passing of this Act, otherwise the powers granted for such construction shall cease and be null and void B.C., 1897, c. 75. with respect to so much of the said lines as then remains uncompleted.

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## 2 EDWARD VII.

### CHAP. 112.

#### An Act to incorporate the Velvet (Rossland) Mine Railway Company.

[Assented to 15th May, 1902.]

WHEREAS a petition has been presented praying that it be Preamble. enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Cauada, declares and enacts as follows:—

1. Frederick Edwin Harman, George Brooke Mee, Alexander Davidson and Henry Frisby, the younger, all of the city of London, in the county of Middlesex, England, together with such persons as become shareholders in the company, are incorporated under the name of "The Velvet (Rossland) Mine Railway Company," hereinafter called "the Company." Incorporation. Corporate name.

2. The undertaking of the Company is declared to be a Declaratory. work for the general advantage of Canada.

3. The persons named in section 1 of this Act are constituted provisional directors of the Company. Provisional directors.

4. The capital stock of the Company shall be five hundred thousand dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed. Capital stock.

5. The head office of the Company shall be in the city of London, England, or in any other place in Great Britain or Canada, as the Company from time to time determines by by-law. Head office.

6. Service of any process or notice upon the chief officer or manager of the Company in Canada, at any office where it carries on business in Canada, or upon the person then in charge of such office, shall be good service and shall bind the Company. Service on the Company.

Annual meeting.

**7.** The annual meeting of the shareholders shall be held on the first Wednesday in September in each year.

Election of directors.

**8.** At such meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose not less than five and not more than seven persons to be directors of the Company, one or more of whom may be paid directors.

Line of railway described.

**9.** The Company may lay out, construct and operate a railway of either standard or narrow gauge, of not less than three feet six inches in width, from or near the city of Rossland, in the province of British Columbia, in a south-westerly direction to a place known as Velvet Mines, on the west side of Sopha Mountain, in the Rossland mining district, and thence in a southerly and south-easterly direction, to a point on the international boundary line.

Connection with U. S. railways.

**10.** The Company may also form connections at the international boundary line with a proposed railway in the state of Washington, one of the United States, and generally with the railway system of the United States, if the approval of the Governor in Council is first obtained.

Ropeways and tramways.

**11.** The Company may construct, acquire and operate ropeways and tramways for the transportation of ore or other freight, not exceeding in any one case five miles in length, as are from time to time authorized by the Governor in Council, to or from any point on its railway or branches.

Powers of Company.

**12.** The Company may, in connection with its railway and for the purposes of its business,—

Lands, and water powers.

(a.) acquire lands and water powers, and erect, use and manage works and manufacture machinery and plant for the generation, transmission and distribution of electric power and energy and other motive power;

Motive power.

(b.) acquire exclusive rights in letters patent, franchises or patent rights for the purpose of the works and undertakings hereby authorized, and again dispose of such rights;

Patent rights.

(c.) sell or lease any surplus power which it may develop or acquire, either as water power or other motive power, or by converting it into electricity or other force for the distribution of light, heat or power or for all purposes for which electricity or other motive power can be used, with power to transmit the same.

Surplus power.

Telegraph and telephone lines.

**13.** The Company may construct and operate telegraph and telephone lines along the whole length of the railway and branches, and may establish offices for the transmission of messages for the public and collect tolls therefor; and for the purposes of constructing and operating such telegraph and

telephone lines the Company may enter into a contract with any other company or may lease the Company's lines or any part thereof; and may connect its lines with the lines of any telegraph or telephone company.

2. The Company may enter into arrangements with any telegraph or telephone company for the exchange and transmission of messages, or for the working in whole or in part of the lines of the Company.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for leasing or using the telegraphs or telephones of the Company, until such rates or charges have been approved of by the Governor in Council, and such rates and charges shall be subject to revision from time to time by the Governor in Council.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company. R.S.C., c. 132.

**14.** The Company may issue bonds, debentures or other securities to the extent of thirty thousand dollars per mile of the railway and branches, and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

**15.** The Company may enter into an agreement with the Canadian Pacific Railway Company, the Columbia and Western Railway Company, the Red Mountain Railway Company, and the Great Northern Railway Company for conveying or leasing to such company the railway of the Company, in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each county or electoral district through which the railway of the Company runs and in which a newspaper is published.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and

Arrangements with telegraph and telephone companies.

Rates to be approved.

Bond issue limited.

Agreements with other companies.

Approval of shareholders and Governor in Council.

Notice of application for sanction.

Agreement to be filed with Secretary of State.

notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be *prima facie* evidence of the requirements of this Act having been complied with.

Time for  
construction  
limited.

**16.** If the construction of the railway is not commenced and fifteen per cent of the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not finished and put in operation within five years after the passing of this Act, the powers of construction granted by this Act or by *The Railway Act* shall cease and be null and void as respects so much of the railway as then remains uncompleted.

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## 2 EDWARD VII.

### CHAP. 113.

An Act to confer on the Commissioner of Patents certain powers for the relief of John Westren.

[Assented to 15th May, 1902.]

WHEREAS John Westren, of the city of Toronto in the <sup>Preamble.</sup> province of Ontario, has, by his petition, represented that he is the holder and owner of letters patent, issued under the seal of the Patent Office, dated the twenty-eighth day of February, one thousand eight hundred and ninety-four, for new and useful improvements in pneumatic tires, being patent number forty-five thousand four hundred and forty-nine, and of letters patent under the seal of the Patent Office, dated the eleventh day of July, one thousand eight hundred and ninety-four, for new and useful improvements in bicycle tires, being patent number forty-six thousand five hundred and sixty-one; that on or before the expiration of the first six years of each of the said letters patent, which were granted for a term of eighteen years, only the partial fee for the first six years being paid upon the issue of each of said letters patent, the said John Westren was entitled, upon application therefor, to a certificate of payment of the additional fee provided <sup>R.S.C., c. 61,</sup> by section 22 of *The Patent Act*, chapter 61 of the Revised <sup>s. 22.</sup> Statutes, as amended by section 5 of chapter 24 of the statutes <sup>s. 24.</sup> of 1892, and section 3 of chapter 34 of the statutes of <sup>s. 5.</sup> 1893; that the said John Westren and The Graham Tire Company, <sup>1893, c. 34,</sup> Limited, have invested large sums in purchasing the said <sup>s. 3.</sup> patents and in the perfecting of the details of the manufacture of the said two inventions and in the extension and advertising of the business dealing in the tires covered by the said letters patent; that the said John Westren inadvertently omitted to make such an application before the expiration of the first six years of each of the said letters patent owing to the fact that the said John Westren had not in his possession either of the said two letters patent, and in good faith believed that the said two patents had eighteen years to run, and a short time prior to the date of the said petition, and so soon as the said John Westren was advised that the said omission could be cured, he forthwith made application to pay the said fees on

the said two patents, at which date such application could not be entertained, as the Commissioner of Patents could not then accept the additional fee and grant the certificate of payment thereof; and whereas the said John Westren has, by his petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Commissioner of Patents may extend duration of letters patent.

**1.** Notwithstanding anything to the contrary in *The Patent Act*, or in the two letters patent mentioned in the preamble, the Commissioner of Patents may receive from John Westren the application for a certificate of payment and the usual fees upon the said two letters patent for the remainder of the term of eighteen years from the date of each of the said patents, and may grant and issue to the said John Westren the certificate of payment of fees provided by *The Patent Act* and an extension of the period of the duration of the said two letters patent to the full term of eighteen years each, in as full and ample a manner as if the application therefor had been duly made within the first six years of the said two letters patent from the respective dates of issue of the said two letters patent.

Rights of third persons saved.

**2.** If any person has, in the period between the twenty-eighth day of February, one thousand nine hundred, and the extension hereby authorized of the said letters patent numbered forty-five thousand four hundred and forty-nine, or within the period between the eleventh day of July, one thousand nine hundred, and the extension hereby authorized of the said letters patent numbered forty-six thousand five hundred and sixty-one, commenced to manufacture, use and sell in Canada the inventions covered by the said letters patent respectively, such person may continue to manufacture, use and sell such inventions, in as full and ample a manner as if this *Act* had not been passed: Provided always, that such rights, if any, hereby preserved to third persons shall be without prejudice to the rights of the said John Westren to prevent such manufacture, use and sale under his rights and privileges covered by letters patent numbered fifty-seven thousand one hundred and eighty-four, and confining the rights, if any, of the said persons to such manufacture, use and sale of bicycle tires shown in the drawings attached to the claims filed with the Commissioner of Patents prior to the issue of the two first mentioned letters patent.

Proviso.



## 2 EDWARD VII.

### CHAP. 114.

#### An Act respecting the Windsor and Detroit Union Bridge Company.

*[Assented to 15th May, 1902.]*

WHEREAS the Windsor and Detroit Union Bridge Company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Section 32 of chapter 120 of the statutes of 1898, c. 120, repealed.

**2.** The times limited for the commencement and completion of the bridge which, by chapter 120 of the statutes of 1898, the Windsor and Detroit Union Bridge Company was authorized to construct, are extended as follows:—

The work shall be commenced within two years after an Act of the Congress of the United States has been passed consenting to or approving of the construction, maintenance and operation of the said bridge across the Detroit River, or within two years after the Executive of the United States, or other competent authority, has consented to or approved of such bridge, and shall be completed within five years after such commencement, otherwise the powers granted by this Act shall cease and be null and void as respects so much of the undertaking as then remains uncompleted; provided, however, that if such consent is not obtained within five years after the passing of this Act, the powers granted for the construction of the said bridge and works shall cease and be null and void.

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OTTAWA: Printed by SAMUEL EDWARD DAWSON, Law Printer to the King's most Excellent Majesty.





## 2 EDWARD VII.

### CHAP. 115.

#### An Act to incorporate the Yukon Pacific Railway Company.

[Assented to 15th May, 1902.]

WHEREAS a petition has been presented praying that it be Preamble enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Duncan B. McBean, John Fleming, Thomas L. Metcalfe, Incorporation. William H. Moore and Dawson K. Elliott, of the city of of Winnipeg, together with such persons as become shareholders in the company, are incorporated under the name of "The Corporate Yukon Pacific Railway Company," hereinafter called "the name. Company."

**2.** The persons named in section 1 of this Act shall be the Provisional first or provisional directors of the Company, a majority of directors. whom shall form a quorum, and they may forthwith open stock books and procure subscriptions of stock and receive payments on account of stock subscribed, and carry on the business of the Company.

**3.** The capital stock of the Company shall be one million Capital stock. dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed.

**4.** The head office of the Company shall be in the city of Head office. Winnipeg, in the province of Manitoba, or in such other place in Canada as the Company from time to time determines by by-law.

**5.** The annual meeting of the shareholders shall be held on Annual the first Monday in September in each year. meeting.

Election of  
directors.

**6.** At such meeting the subscribers for the capital stock assembled who have paid all calls due on their shares, shall choose not more than nine and not less than five persons to be directors of the Company, each of whom shall hold at least fifty shares of the capital stock of the Company, and one or more of whom may be paid directors.

Line of  
railway  
described.

**7.** The Company may lay out, construct and operate a railway or tramway, or both, from a point at or near the town of White Horse, in the Yukon Territory, thence in a south-westerly direction to a point north of the boundary line between the Yukon Territory and the province of British Columbia between the 136th and the 137th meridians of longitude, and at least five miles distant from such boundary line.

Route to be  
approved by  
Governor in  
Council.

**2.** The Company shall not commence the construction of any one of such lines of railway or tramway until the proposed route thereof has been approved of by the Governor in Council; and, as to any portion of any line which runs along or through any mountain pass or river gorge, and which, in the opinion of the Governor in Council, has room for only one line of rails, every other railway company whose authorized line necessarily runs through such pass or gorge, shall, upon such conditions, terms and regulations as the Governor in Council makes in that behalf, also have the right to operate its line of railway by the exercise of running powers, or otherwise, as the Governor in Council determines, over such portions of the line of the Company as runs along or through such pass or gorge.

Telegraph and  
telephone  
lines.

**8.** The Company may, upon and along the whole length of its line of railway or tramway and branches, construct, maintain and operate telegraph and telephone lines, establish offices for the transmission of messages for the public, and collect tolls therefor, and, for the purposes of constructing and operating such telegraph or telephone lines, the Company may enter into a contract with any other company, or may lease the Company's lines or any part thereof, and may connect its lines with the lines of any telegraph or telephone company.

Arrangements  
with telegraph  
and telephone  
companies.

**2.** The Company may enter into arrangements with any telegraph or telephone company for the exchange and transmission of messages, or for the working in whole or in part of the lines of the Company.

Rates to be  
approved.

**3.** No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone or for leasing or using the telegraphs or telephones of the Company until such rates or charges have been approved of by the Governor in Council, and such rates and charges shall be subject to revision from time to time by the Governor in Council.

R.S.C., c. 132.

**4.** *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company.

Powers of  
Company.

**9.** The Company may, in connection with its railway or tramway and for the purposes of its business,—

(a.) acquire lands, and erect, use and manage works, manufacture machinery and plant for the generation, transmission and distribution of electric power and energy ; Electricity.

(b.) build and maintain power houses and stations for the development of electrical force and energy ; Power houses.

(c.) sell or lease any surplus power which the Company may develop or acquire, either as water power or by converting it into electricity or other force for the distribution of light, heat or power, or for all purposes for which electricity can be used, with power to transmit the same ; Surplus power.

(d.) acquire and work mines and mineral and mining rights in the Yukon Territory, and may crush, smelt, reduce and amalgamate ore to render marketable the produce thereof, and may develop such mines, and may crush, smelt, reduce and amalgamate the ores and products of any mines, whether belonging to the Company or not ; Mining.

(e.) construct, or aid in and subscribe towards the construction, maintenance and improvement of roads, tramways, docks, piers, wharfs, viaducts, aqueducts, flumes, ditches, quartz mills, orehouses and other buildings and works which are necessary or convenient for the purposes of the Company ; Roads, docks, mills, etc.

(f.) carry on the business of carriers, forwarders and transportation agents, and all other business incident thereto or connected therewith, and also the business of wharfingers, shippers, and vessel owners ; and may, for any of the said purposes, acquire and hold timber, lands, buildings, docks, works, boats, vessels, vehicles, goods, wares or merchandise and other property, real and personal ; and improve, extend, manage, develop, lease, mortgage, exchange and dispose thereof ; Carriers. Vessels, lands, merchandise, etc.

(g.) acquire by lease, purchase or otherwise, any rights in letters patent, franchises or patent rights for the purposes of the works and undertakings hereby authorized, and again dispose of such rights.

**10.** The Company may receive from any government or person, in aid of the construction, equipment or maintenance of any of its works, grants of land, bonuses, loans or gifts of money or securities for money, and may dispose thereof, and may alienate such property as is not required for the purposes of the Company. Aid to Company.

**11.** The Company may, under the authority of the ordinary shareholders given at a special general meeting duly called for that purpose, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, issue any portion of its capital stock as preferred stock, and such preferred stock shall have the special incidents and privileges defined by the following paragraphs, that is to say :— Preferred stock.

(a.) The profits of each year shall be first applied to pay a cumulative preferential dividend at a rate not exceeding six per cent per annum ;

(b.) The residue of surplus profits applicable for dividend in each year shall be divided among the holders of the ordinary shares;

(c.) Nothing herein contained shall prejudice or limit the powers or discretion of the directors as to the time or mode of application and distribution of profits, or as to the setting aside of profits for a reserve fund and depreciation accounts;

(d.) The holders of the said preferred stock shall also be entitled to the preferential payment of the amount paid up on their shares out of the assets available for the return of capital, in priority to any return of capital in respect of ordinary shares in the Company; and, subject thereto, the residue of such surplus assets shall belong to and be divided among the ordinary shareholders.

Rights of  
holders.

2. The holders of such preferred stock shall have and enjoy the rights, privileges and qualifications of holders of capital stock for voting at all meetings of the shareholders and for the purpose of becoming directors.

Borrowing  
powers.

**12.** The directors, under the authority of a resolution of the shareholders passed at the first general meeting of the shareholders, or at any special general meeting at which shareholders representing at least two-thirds in value of the issued capital stock of the Company are present or represented by proxy, may, from time to time, at their discretion, borrow money for the purposes of the Company, and may issue bonds or debentures in respect thereof, and secure the repayment of the said moneys in such manner and upon such terms and conditions as they see fit, and for this purpose may mortgage, pledge, hypothecate or charge the assets and property of the Company other than the railway.

Bond issue.

**13.** The Company may, in addition to the powers granted by the next preceding section, issue bonds, debentures or other securities to the extent of thirty thousand dollars per mile of its railway and tramways, and such bonds, debentures or other securities may be issued only in proportion to the length of railways and tramways constructed or under contract to be constructed.

Time for  
construction  
limited.

**14.** If the construction of the railway is not commenced, and fifteen per cent of the amount of the capital stock is not expended thereon, within two years from the passing of this Act, or if the railway is not finished and put in operation within five years from the passing of this Act, the powers of construction conferred upon the Company by Parliament shall cease and be null and void with respect to so much of the railway as then remains uncompleted.

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